PROCEEDINGS

OF THE

TRAVANCORE SRI MULAM ASSEMBLY

SECOND ASSEMBLY.

THIRTEENTH SESSION.

Thursday, the 5th August 1943/20th Karkadakam 1118.

(OFFICIAL REPORT)

Vol. XXII—No. 12.

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Thursday, the 5th August 1943/20th Karkadagom 1118.

The Assembly re-assembled in the Legislative Chamber, Public Offices at 12 Noon on Thursday the 5th August 1943, with the President in the Chair.

MEMBERS SWORN.

The following members took the oath and signed the rolls:—

1. Mr. I. C. Chacko (*Chief Engineer, Roads, Irrigation and Miscellaneous*)
2. Mr. G. Narayanan Tampi (*Secretary to Government*)
3. Mr. P. G. Narayanan Unnithan (*Excise Commissioner*)
4. Rao Bahadur T. V. Venketeswara Aiyar (*Conservator of Forests*)

QUESTIONS AND ANSWERS.

Toddy shop and arrack shop at Kollamcode.

195. *MR. T. C. KESAVA PILLAI (*Kalkulam cum Vilavankod*): Will the Government be pleased to state whether they have received any representation regarding the shifting of a toddy shop and an arrack shop at Kollamcode which are located just 150 feet from a school?

MR. P. G. NARAYANAN UNNITHAN (*Excise Commissioner*): Yes.

Tiruvalla-Vallamkulam Road.

196. *MR. M. R. NARAYANA PILLAI (*Tiruvalla*): Will the Government be pleased to state what action has been taken with regard to removing the dangerous diversion on the Tiruvalla-Vallamkulam Road between the 3rd and 4th mile stones?

MR. I. C. CHACKO (*Chief Engineer, Roads, Irrigation and Miscellaneous*): Estimate for the work has been sanctioned and the work arranged for. Owing to the early onset of the monsoon, it is not possible to proceed with the work now. It will be completed in the dry weather.

MR. M. R. NARAYANA PILLAI: Although it is said in the answer "it will be completed in the dry weather" may I know how long this position has been continuing?

MR. I. C. CHACKO: The estimate has been sanctioned only about two months ago.

MR. M. R. NARAYANA PILLAI: My question is "how long this dangerous condition of the road was in existence without being changed"?

MR. I. C. CHACKO: About three years.

Haripad-Puliyoor Road.

197. ***MR. PULIYOOR T. P. VELAYUDHAN PILLAI** (*Tiruvalla*): Will the Government be pleased to state:

(*a*) whether they have sanctioned the opening or improvement of the Haripad-Puliyoor road *via* Chennithala and Ennakad;

(*b*) the total distance of the above road,

(*c*) the total distance of this road between Puliyoor and Ennakad which has not yet been made fit for communication;

(*d*) the total cost of improvements effected by the local public on this portion of the road;

(*e*) the condition of the only bridge on this portion of the road at Ennakattumoola;

(*f*) whether representations have been received by Government and the Department on the subject and the action taken thereon; and

(*g*) the probable cost of constructing a bridge at Ennakattumoola, in Chengannur pakuthi, Tiruvalla taluk?

MR. I. C. CHACKO: (*a*) Yes, some portions.

(*b*) 10½ miles.

(*c*) About 4 miles.

(*d*) About Rs. 500/-

(*e*) There is no bridge at Ennakattumoola.

(*f*) Yes. An estimate was prepared, but it is found to require revision due to the present conditions.

(*g*) Rs. 4,350/-

Opium and Ganja Shops in Trivandrum and Nagercoil Divisions.

198. ***MR. C. RAMASWAMY NADAR** (*Tovala cum Agastisvaram*): Will the Government be pleased to state:

(*a*) the total auction amount of opium and ganja shops in Trivandrum and Nagercoil divisions for the year 1118; and

(*b*) such amount for the said divisions for the year 1119?

MR. P. G. NARAYANAN UNNITHAN: (*a*) Total auction amount of opium and ganja shops in Trivandrum Division, for 1118 Rs. 15,275.

Total auction amount of opium and ganja shops in Nagercoil Division for 1118 Rs. 13,320.

(*b*) Final figures are not available.

Dispensaries in Todupuzha taluk.

199. *MR. P. V. MATHAI CHEMPARATHY (*Minachil* cum *Todupuzha*): Will the Government be pleased to state:

(*a*) whether they have received any representation from the public of Todupuzha for opening more dispensaries in Todupuzha taluk; and

(*b*) the number of patients treated at the dispensary, Todupuzha in 1118 till the end of Edavam?

DR. S. JOHN (*Ag. Surgeon-General*): (*a*) Yes.

(*b*) 15,159.

Ryots' road from Perumpanachi to Thottakad.

200. *MR. K. S. SEBASTIAN (*Changanacherry* cum *Peermade*): Will the Government be pleased to state:

(*a*) whether they have received representations for the construction of a ryots' road from Perumpanachi to Thottakad in the Changanacherry taluk; and

(*b*) what steps, if any, Government have taken in the matter?

MR. I. C. CHACKO: (*a*) Yes.

(*b*) None, as the road has to be opened by the ryots according to the Ryots' Roads Rules.

MR. K. S. SEBASTIAN: May I know from the Chief Engineer whether a solution has not been recommended by the Public Works Advisory Committee?

MR. I. C. CHACKO: Yes, Sir, to be taken as a ryots road.

Breaches on the Chengannur-Mannar Public Road.

201. *MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Will the Government be pleased to state:

(*a*) the number of breaches on the Chengannur-Mannar public road *via* Pandanad, in Tiruvalla taluk, between Vanmazhi and Chengannur;

(*b*) how they were caused and when;

(*c*) the number of accidents that took place on account of the breaches;

(*d*) whether representations have been received by the Chief Engineer or the Executive Engineer, Quilon, on the subject; and

(*e*) the action taken on such representations?

MR. I. C. CHACKO: (*a*) Three.

(*b*) Due to the floods, one in 1116 and two in Mithunam 1118.

(*c*) None.

(*d*) No.

(*e*) Does not arise in view of the answer to part (*d*).

Kottappady-Ayacaud Road.

202. *MR. KOTTALIL P. ABRAHAM (*Muvattupuzha cum Devicolam*) : Will the Government be pleased to state:

(a) the steps, if any, taken by them for taking possession of the lands required for Kottappady-Ayacaud road in Muvattupuzha division from the respective owners who are willing to surrender the lands free;

(b) when the said road was completed by the ryots of the locality; and

(c) when it was offered to the Government for their control?

MR. I. C. CHACKO: (a) Land acquisition proceedings are in progress. The declaration has been notified in the Gazette.

(b) The road work has not yet been completed by the ryots as it can be done only after the land acquisition is over and lands taken possession of.

(c) The ryots applied for the road being taken under departmental maintenance in Mithunam 1117.

Harijan Colonies.

203. *MR. KAVIYOOR K. K. KOCHUKUNJU (*Nominated*): Will the Government be pleased to lay on the table a statement showing the number and communities of wardens in the Harijan Colonies at present?

MR. G. NARAYANAN TAMPI (*Secretary to Government*) A *statement giving the information is placed on the table.

Nilappara Channel.

204. *MR. C. RAMASWAMY NADAR: Will the Government be pleased to state:

(a) whether there is any Government order that water should be supplied for certain branches of Nilappara Channel for one crop only *viz.*, Kanni crop;

(b) whether water has been and is being supplied for such branches for two crops; and

(c) if the answer to the former is in the affirmative, under what authority this unauthorised course is adopted at the expense of the other branches of the said channel?

MR. I. C. CHACKO: (a) No.

(b) Yes, after the demands of the regular conversions or ayacut lands are met fully.

(c) The course adopted is not unauthorised as water is never supplied to these lands at the expense of regular conversions or ayacut lands.

Harijan Hostels.

205. *MR. KAVIYOOR K. K. KOCHUKUNJU: Will the Government be pleased to state:

(a) whether there is any student in any of the Harijan Hostels conducted under the supervision of the Department for the Uplift of

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* *Vide* Appendix page 794.

the Backward Communities, from among the Ulladan, Ottan, Pandyan, Vathiriyan, Vallon, Kanikkaran, Arayan, Chakkiliyan and Pallan communities;

(*b*) if so, who they are and what their respective numbers are; and

(*c*) whether students belonging to the Parava community are given admission to Harijan hostels?

MR. G. NARAYANAN TAMPI: (*a*) Yes.

(*b*) Pallan 1.

(*c*) Yes, with special sanction of Government in deserving cases recommended by the Protector of Backward Communities.

Amount realised from the lease of lands for food production.

206. ***MR. K. DOMINIC JOSEPH** (*Vaikom cum Kottayam*): Will the Government be pleased to state the total amount realised by the Government:

(*a*) by leasing out the lands by auction; and

(*b*) by assigning lands other than by auction?

RAO BAHADUR T. V. VENKATESWARA AIYAR (*Conservator of Forests*):

(*a*) Rs. 45,645 in 1118.

(*b*) Rs. 27,615 in 1118.

Pathiyans.

207. ***MR. KAVIYOOR K. K. KOCHUKUNJU:** Will the Government be pleased to state:

(*a*) the records recognised by Government on the basis of which the term 'Pathiyans', the tenth in the list of Backward Communities, on page 5 of the Administration Report for 1117 of the Department for the Uplift of the Backward Communities was so included; and

(*b*) whether the said community is being given fee concession, puduval concession, etc., which are given to other Backward Communities?

MR. G. NARAYANAN TAMPI: (*a*) Government circular R. O. C. No. 3692/25/Statistical, dated 5th December 1925.

(*b*) No.

Clerks recruited in the Land Revenue Department.

208. ***MR. T. C. KESAVA PILLAI:** Will the Government be pleased to state the number of clerks recruited on the advice of the Public Service Commissioner in the Land Revenue Department till the 10th Edavom 1118?

MR. G. NARAYANAN TAMPI: 85 up to 10-10-1118.

MR. P. C. ADICHAN (*Nominated*): ഏതു പരീക്ഷായോഗ്യതയുള്ളവരെയാണ് ക്ലാക്കന്മാരായി നിയമിക്കുന്നത്?

MR. G. NARAYANAN TAMPI: ലാൻഡ് റവന്യൂ ഡിപ്പാർട്ടുമെൻറിൽ നിയമിക്കപ്പെടാവുന്ന ഇംഗ്ലീഷ് ക്ലാക്കന്മാക്ക് ഏററവും കുറഞ്ഞ പരീക്ഷായോഗ്യത സ്ക്കൂൾഫൈനൽ പരീക്ഷയാണ്. ചിലപ്പോൾ പകുതി അ

[Mr. G. Narayanan Tampi]
ക്കൌണ്ടന്മാരെ ക്ലാക്കന്മാരായി കയററം ചെയ്യാറുണ്ട്. കുറഞ്ഞതു മലയാളം ഏഴാംക്ലാസും വില്ലേജു ടെസ്ററും പാസ്സായവരെയാണ് അക്കൌണ്ടൻറന്മാരായി നിയമിക്കുന്നത്.

MR. P. C. ADICHAN : ഇപ്പോൾ സർവീസിലിരിക്കുന്നവരിൽ പബ്ളിക്ക്സർവീസ് കമ്മിഷണർ നിയമനം നടത്തിയിട്ടുള്ളവരെത്തന്നെ, കാര്യക്ഷമതയും മററു യോഗ്യതകളും നോക്കി ക്ലാക്കന്മാരായി നിയമിക്കുന്നതിന് എന്തു വിഷമമാണുള്ളത്?

MR. G. NARAYANAN TAMPI : പബ്ളിക്ക്സർവീസ് റിക്രൂട്ടുമെൻറു നിബന്ധനകളനുസരിച്ചുള്ള നിയമനങ്ങൾ മാത്രമേ നടത്താറുള്ളു.

MR. P. C. ADICHAN : ഇപ്പോൾ നിയമിച്ചിരിക്കുന്നവർ ഫുൾടൈം വക്കേഴ്സ് ആണെന്നറിയാമോ?

MR. G. NARAYANAN TAMPI : അറിയാം.

MR. P. C. ADICHAN : അവർക്കു പ്രതിമാസം എന്തു വരവാണുള്ളത്.

MR. G. NARAYANAN TAMPI : അതാതു ഉദ്യോഗങ്ങൾക്കു നിർദ്ദേശിച്ചിട്ടുള്ള വരവു് നിശ്ചയമായും അവക്കു ലഭിക്കും. മററു വരവുകൾ അവക്കു ലഭിക്കുന്നുണ്ടോ എന്നുള്ളതിനെപ്പററി ഗവമ്മെൻറു ഗാഢമായി അന്വേഷിച്ചുവരികയാണ്. അതു തടയുവാൻ കർശനമായ നടപടികൾ നടത്തുന്നുമുണ്ട്.

Appendix

Vide Answer to Question No. 203.

	Name of the colony.	*Name of the Warden.*	*Community.*
1.	Sachivottamapuram Colony, Kurichi.	T. T. Kesavan Sastri, M. L. A.	Hindu, Pulaya.
2.	Veliyathunad Co-operative Colony, Alwaye.	S. Kunju Pillai.	Nair.
3.	Pacode Colony, Kuzhithura.	D. Jaya Ram.	Hindu Sambavar.

Legislative Business.

THE TRAVANCORE MEDICAL PRACTITIONERS BILL.

PRESIDENT: The House was dealing with the Travancore Medical Practitioners Bill and Dr. Tirumurti was on his feet when the House adjourned yesterday.

MR. K. G. KUNJUKRISHNA PILLAI (*Legal Remembrancer*): The motion for the circulation of the Bill does not arise at the second reading. Under the Standing Orders the only motion that will be possible is for recommittal.

PRESIDENT: If the motion for circulation is defeated then the motion for the adjournment of the Bill *sine die* can be moved. The idea underlying most of the remarks that have been made is that the frame-work of the Bill is wrong and that therefore honourable members want some other consideration to be given to it. I regard it as a dilatory motion. It is for the Honourable House to decide whether the system of quack practice should continue or whether it should be put a stop to.

It may be mentioned in passing that before much further discussion takes place, any amendment or alteration of the Bill designed to secure that every system of medicine should be recognised, I am sure, will be regarded with sympathy by the House and Government. The object, so far as I can gather, of this Bill and the only object which is worth keeping in mind is that no person whether he calls himself a Homeopath, allopath or dentist will be allowed to practise unless he is property qualified. In other words if there is a Homeopath, Ayurveda Vaidyan or Allopath, the question is whether he is fit to be a Homeopathic, Ayurvedic or Allopathic practitioner. It is not the intention, nor would it be consistent with common sense, to think of an Allopath sitting in judgment over the Siddha Vaidyan or a man like myself sitting in judgment over the Allopath, or all of them sitting in judgment over the system followed by Mahatma Gandhi, *viz.*, 'mud pack'. He has told me that himself. In the morning he has 'mud pack' on the head, at noon on his body and in the evening on his legs, and he says that all doctors may give up their system of treatment and start 'mud pack'. If all the doctors say that 'mud pack' system is the most effective, we have no quarrel. If that idea is to be understood then there would not be so much of excitement over this matter as I found yesterday.

RAO BAHADUR DR. T. S. TIRUMURTI (*Co-opted for the Bill*): As I said yesterday, there is no ground for the recommittal of this Bill again to the Select Committee.

MR. C. JEBAMONY NADAR (*Kalkulam cum Vilavankod*): In view of the reply from the Chair I do not wish to.........

PRESIDENT: This is purely a matter for the decision of the House. It is not an administrative question. Take for instance the High Court Act (Amendment) Bill. Certain administrative conveniences and inconveniences had to be considered by Government and they had to

[President]

take a definite line in regard to those matters. There are other subjects of legislation in which the administrative side of Government as such, the Head of the Government as such, has no right to intervene or to influence decision. He might try to influence debate or discussion but he has no right to influence decision. The success of this measure will depend exactly on the proportion and the extent to which there is public sympathy and co-operation forthcoming. Unless there is full co-operation in a measure of this kind, whatever be the personal opinion of the Chair, whatever be its ruling, there is no point in it. The fundamentals of the Bill ought to be approved or disapproved by the House exercising its initiative decision on a matter which, to some of us, seems to be of great and fundamental importance.

RAO BAHADUR DR. T. S. TIRUMURTI: I told the honourable members of this House yesterday that I am rather surprised and painfully surprised that this Bill has again to be recommitted to the Select Committee or that there is an attempt on the part of some honourable members of this House to adjourn it to a later date or to think of some dilatory methods by which this beneficial Bill may be delayed in being passed or that..........

PRESIDENT: I would appeal to the honourable member not to go into the dilatory aspect. If honourable members are persuaded to think that there are dangerous motives underlying this Bill, they are entitled to take every step available to them under the law to delay or prevent it being passed.

RAO BAHADUR DR. T. S. TIRUMURTI: The honourable member Mr. Sivathanu Pillai said that the large number of amendments have been introduced with a view to change the existing clauses in the Bill. But I may inform the honourable members of the House that when we pool all the amendments we will find that there will be only a few amendments. For instance, how are we to know which of the institutions are to be included in the schedule with regard to Homeopathy. The honourable member said that, if time had been given to him, he would have been in a position to judge about the efficiency or inefficiency of the various Homeopathic Schools and Colleges, mention of which has been made in the various amendments. But I may inform the honourable member that it is not the intention of any member of this House to inspect the colleges to know how they are working or how many of them are functioning, or to study the system of medicine, they are teaching. But it is a matter, which ought to be left to the Medical Council, when it is formed, to enquire into and find out which schools should be recognised, whether they belong to Homeopathy, Allopathy or any other system.

PRESIDENT: The honourable member's contention is that matters of detail should be decided by a special body qualified and designed for the purpose.

RAO BAHADUR DR. T. S. TIRUMURTI: They will be judged better by men who are competent to judge them. Then a reference was made about the question of registration of Dentists. The Dentists from a separate class by themselves and as such they perform certain functions in the nature of allopathy. As to my friend Mr. Velu Pillai who said that medical men should not be law-makers, I may inform the House that medical men do not pretend to know law.

I do not know why he should have favoured a motion for recommittal. He said also that the allopaths are trying to drown homeopaths. It is not so. In Great Britain and America unlike in our country Homeopths have got to go through a five year's course; except in the matter of treatment there is no difference in the training for homeopathy and allopathy. In India many homeopaths possess diplomas or degrees for which they are not properly qualified. Thirdly he said about the treatment by mixed systems which will be very dangerous and is likely to lead to severe consequences. In the matter of practice allopaths do not associate, say, with Ayurveds. So the question of association does not arise. Then he said about the certificates that only qualified registered practitioners are competent to grant certificates.

MR. M. R. NARAYANA PILLAI (*Tiruvalla*): What is meant by these "registered practitioners"?

RAO BAHADUR DR. T. S. TIRUMURTI: Registered practitioners are put into two classes: One, those who hold recognised qualifications and those who do not.

MR. M. R. NARAYANA PILLAI: May I take it that the hereditary practitioners are not registered practitioners?

PRESIDENT: Heredity is supposed to be a qualification. When he is born, he is supplied to be born with a knowledge of medicine.

SADASYATILAKA T. K. VELU PILLAI (*Trivandrum*): With regard to the view that I expressed that allopaths do not favour homeopthy, it is not from imagination that I stated so. I refer my friend to Homeopathic Record, Vol. XXIV of Pullford.

PRESIDENT: It is a well-known historical fact that Dr. Hahnemann himself was an allopathic practitioner before he invented Homeopathy. I take the view that, when a question arises, Indian degrees should be given preference over foreign degrees as a means of fixing strict standards and of preventing people from getting cheap degrees. There are, of course, certain exceptions. It may very well be said in comparing the holders of foreign degrees and Indian degrees that the Indian degree holders should be preferred.

SADASYATILAKA T. K. VELU PILLAI: In the light of what you have said I do not wish to say anything on the matter. My idea was to read a passage from this book. Dr. Tirumurti is a man in the profession and I am a layman. The only point I wish to say is that here is a statement by Pullford M. D. to ridicule Homeopathy. Homeopathists are as good as allopaths.

RAO BAHADUR DR. T. S. TIRUMURTI: With regard to certificates it is the employers who are to specify from whom they will accept Certificates. So the question of certificates also need not be a bar to the passing of the Bill.

MR. KOTTALIL P. ABRAHAM: May I know whether the function of the Medical Council is different from the Medical Associations?

RAO BAHADUR DR. T. S. TIRUMURTI: Yes.

I do not know how we can have a better considered Bill. This bill has received careful considerations by the members of the Medical Committee. To say that the whole conception is wrong is not justified.

Mr. Jebamony Nadar says that, if the Government cannot find sufficient funds to have a school of Sidha Vaidyam, he will take up that question. Let him do so. The bill does not prevent the Government from considering the matter if he is so interested. There are many unrecognised schools and colleges for Sidha Vaidyam and Homeopathy. We have to find out whether these institutions are functioning properly or not. It is not at all proper to put into the schedule now the name of any such institutions. We do not know anything about their examinations or who conducts these examinations. We do not know anything now about the efficiency of such schools, whether they are for Sidha Vaidya or Homeopathy. Some institutions for them do exist in Travancore and they have to be considered by the Medical Council later on. Then he said that the Allopathic practitioners may be placed in a separate register apart from those of the other systems as Madras has done. What is the benefit after all? Why should we create superiority or inferiority complexes? So, my point is that, so far as this Bill is concerned, all medical practitioners should be placed on the same register though in different parts of it. Therefore I appeal to the honourable members to see that all the provisions, as published in this Bill, are immediately brought into effect. We shall take up the amendments one after another and see whether this Bill is properly worded according to law or not.

SADASYATILAKA T. K. VELU PILLAI: May I know from the honourable member what is the justification for including dentistry? For long Dental Surgeons alone are treated as a separate category while in other systems like Ashtangahridaya there are eight parts. I have the names of these. It is not clear why dentistry alone is given separate representation.

RAO BAHADUR DR. T. S. TIRUMURTI: In other countries there is a separate Dental Act for registration of dentists.

MR. E. SUBRAMONIA AIYAR (*Nominated*): I may say at the outset that I very much regret the motion for adjournment. Our approach to this question according to me, if I am right, must be from a different point. Much has been said about Allopathy, Homeopathy, Ashtangahridaya, Sidha Vaidyam and so on. No doubt their interests or class interests may certainly be kept in view. The legislation is no doubt to preserve their individual interests but a larger interest looms before us. This legislation to a great extent is in the interests of the

masses of Travancore. The social interest in the regulation of practice of medicine must be kept in view by us when we deal with the legislation. The nature of our interest on a particular profession or a particular class of profession may be at times antagonists to what we attempt to do in the social well-being of the society. When we deal with the legislation this aspect will have to be kept in view. I do not profess to know any system of medicine unless it be that when the question of approaching a doctor arises I may consult my own interest or unless he comes to a court of law as a witness And as a Legislator, which role I pretend to occupy today, I am only concerned with the interest of the people for whom we legislate. We are not legislating for practitioners. We are legislating for the people of Travancore. If we are satisfied that the organising of the medical practitioners has become desirable, the sooner we do it the better for everybody. Every person who practises a profession will take care of himself. After all what is being done by this Bill? The function of this Bill is only to create a body, a machinery, a medical council so to speak, for the purpose of regulating or determining the qualifications of the persons who are practising the profession of medicine and also the inter-relationship between the several members. Instead of Government assuming to itself the power of deciding in each case what should be done, an expert body of medical practitioners is created. That will be an autonomous body determining what should be done in the interests of the masses of the people. My view, is that such a body will give greater prominence to the practitioners, if it is composed purely of medical men. I am afraid that they will be concerned with their own interests rather than of the body politic. So this is only a necessary step. Government cannot leave the matter entirely, as I would call it, to take care of itself. For this short reason, I think this Bill is necessary. The function of the modern State has expanded very much. It is not merely a police State. It has gone further. In fact it deserves to be called a State only if it takes measures for the well-being of the citizens and for the promotion of their prosperity; Education, Sanitation, Public Health—all these are matters which every modern State has to attend to. 30 or 40 years ago, it might have been a question of a so-called doctor advertising medicine. Now it is not so. The condition of society has changed. So many persons are practising. So there is greater room for deliberation and imposition. Therefore if we feel that the organisation of the profession and its regulation are necessary, this legislation should be passed. If we do not feel so let us scrap this legislation. If the situation in Travancore does not require the organising of the profession and the regulation of it, then this House must scrap it. Once we consider it necessary we must pass it. It is not in the interests of the practitioners that we should pass the Bill. They will take care of themselves. Their interest is not to organise. They want free competition. If the interests of the masses require the Bill, let us have it.

After all what are the implications of this Bill? We are leaving it to the Medical Council to frame rules. In other words, is this a

[Mr. E. Subramonia Aiyar]

proper body? The Medical Council composed of Allopathic doctors, Homeopathic doctors, Sidha Vaidyans and Ayurveda Vaidyans will be a proper body to select persons to practise with immunity on the health of the people.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Is there not a provision in Section 17 of the Bill for the constitution of sub-committees for each system?

MR. E. SUBRAMONIA AIYAR: I am aware of it. But now I am only at the fringe of the Bill. The only question now is whether or not a body shall be constituted. There was the Bar Council legislation. We were clamouring for a legislation to regulate our conduct.

PRESIDENT: I suppose the honourable member is aware that in the very early days Government gave the license to each lawyer personally for attending the courts and if he did not attend the courts he was fined.

MR. E. SUBRAMONIA AIYAR: The attempt is not to give any predominence to one system over another. A co-ordination sometimes requires the subordination of the whole organism. No progress can be had unless there is what is called co-ordination with subordination intermingled. Therefore there is no question of circulation or recommittal.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I move that the question be now put.

PRESIDENT: Well, the matter is so fundamental that I am not going to stifle discussion at this stage. Once this matter is settled one way or the other, the rest will be easy.

SADASYATILAKA T. K. VELU PILLAI: Sir, I was on my legs to put a question to Mr. Subramonia Aiyar, when Mr. Velayudhan Pillai got up. May I now put the question?

PRESIDENT: Very well.

SADASYATILAKA T. K. VELU PILLAI: Will the honourable member be in favour of people who practise cure for snake poison?

MR. E. SUBRAMONIA AIYAR: My answer is that I am for regulating it also. From my experience the curing of snake poison stands on a slightly different footing. There are more quacks in it than real doctors.

PRESIDENT: The curing of snake poison is done by a kind of inspiration. I know a colleague of mine in the Bar, Mr. C. Ramachandra Rao Sahib, who had a hereditary cure for scorpion bite. Apparently it is a kind of individual or family inspiration.

SADASYATILAKA T. K. VELU PILLAI: According to clause 2 (*e*), "Medical practice" means practice of healing human ailments, by any measure. It is well known that some of the heads of some wealthy and well-to-do families are able to cure ailments. Will they come under the Bill?

MR. E. SUBRAMONIA AIYAR: I would draw the attention of my friend to clause 36, the proviso to which says that the Government may exempt any person of class or persons.

PRESIDENT: But will the honourable member refer to clause 22 (I) (ii), which says "any person recognised by Our Government from among families of hereditary physicians of repute practising in Travancore"?

SADASYATILAKA T. K. VELU PILLAI: My honourable friend thinks that such persons who are specially recognised by Government should be allowed to practise medicine.

PRESIDENT: The idea is that there are some people so eminent that they would not care to be recognised by Government.

SADASYATILAKA T. K. VELU PILLAI: Government may or may not recognise.

PRESIDENT: The argument is this. Government have power to recognise or not to recognise any person. I can take a degree in Homeopathy. As a matter of fact I have got a box of Homeopathic medicines still in my house. I can start as a homoepathic doctor immediately. I have studied a number of books on the subject. But I may say that I have not killed any of my friends. Is it the contention of the honourable member that Government should or should not recognise such a practitioner?

MR. E. SUBRAMONIA AIYAR: Recognition is one thing and exemption is another.

MR. M. SIVATHANU PILLAI (*Tovala cum Agasteesvaram*): Sir, I am afraid that the motion for the circulation of this Bill has been very much misunderstood. It has been remarked that the motion is intended to be of a dilatory character. If I show that the mover and myself have no such idea in the least, the motion for circulation will be perfectly in order. Simply because the motion is for circulation, it should not be characterised as dilatory. At any rate, speaking for myself I can assure the Chair that my object in seconding it is based upon genuine and very reasonable causes. To me it is not understandable why it is said that it is intended to postpone discussion, and to obstruct the progress of the Bill in this Session.

PRESIDENT: I may at once mention why I said that it is dilatory. If it is not taken up in this session, it may not come up for some months. Government will necessarily have to consider the question of holding fresh elections. What decision they may come to is not certain at present. Probably this may be the last sitting of this House. These are matters which Government will have to consider very carefully. The whole question of the future of this House is still under the consideration of this Government. If the conditions in the State are such that new elections can be safely ordered, the Government are under a moral duty to order those elections. But if Government find that on account of petrol shortage and other difficulties this is not the time to order fresh elections, they will not do so. But the possibility of that has to be borne in mind by the legislature. That is why I said that the motion is dilatory.

MR. M. SIVATHANU PILLAI: The mover of this particular motion may not have the occasion to know this aspect which the Chair has now said. I myself did not know that if this Bill is not taken up for consideration in this Session, it cannot come up for months, as the Chair has envisaged. The main reason for my seconding the motion for circulation is this. The Bill was originally printed and published on the 8th of May last. According to the Standing Orders any Bill to be considered in this House requires at least three months interval before second reading. In other words it must be taken up on the 8th of August in the normal course which is yet to come. That is point No. 1.

With regard to the publication of this Bill, generally I associate the publication, in the Government Gazette, of a Bill, not only in the English language, but also to be immediately followed by publications in the Malayalam and Tamil languages. There was no Malayalam or Tamil translation of this Bill published in the Government Gazette, as is generally done in the cases of all Bills. Have I not then a right to demand for it? In fact, as the honourable Mr. E. Subramonia Aiyar said, we do want to organize the practice of all systems of medicine. There is no doubt about that. I agree, in toto, with Mr. E. Subramonia Aiyar of the necessity or desirability of regulating and organizing the different systems in the country, so that the patients who receive treatment at the hands of the medical practitioners may be safe from the hands of quacks. I am second to none in recognising the importance of securing the safety of the persons treated by the different practitioners in the country.

But, on the other hand, most of the practitioners in the Siddha system,—so far as I am concerned I may say that—come and pester me to give them a translation with regard to the different sections of the Bill, as they do not know English generally. They evinced keenness to know how this system of medicine is going to be organised and encouraged, how they would be affected by this Bill. To give these people who are very large in number, the opportunity and facility to understand this Bill, is but reasonable. That is why I said I am for circulation. How could this be called dilatory tactics, I do not understand.

PRESIDENT: I would ask my honourable friend, Mr. Sivathanu Pillai two questions not so much for cross-examining, but for enabling him to deal with these importunate members of the Siddha group of practitioners. Supposing it were clearly understood that this legislation has not the object of making any differentiation in favour of Ayurveda or Allopathy as against the Siddha system, that the foundation, the conduct and the progress of the Siddha system will continue to be looked after with as much care by any body that is constituted under this Act as by the Government and that the tests in regard to the efficacy or the usefulness of a particular Siddha institution will be judged by a sub-committee brought into existence by the Medical

Council, composed purely, solely, entirely of Siddha practitioners; and supposing it were equally understood that Government, having already in an inchoate way, no doubt-but definitely associated itself with at least one Siddha institution in this State, there is no particular reason to think that the Government have any definite hostile ideas in regard to the Siddha system as such; supposing all these were made clear, are the other clauses of the Bill, of which no doubt, attention has been paid by the members of this Legislature, of such fundamental importance to the Siddha system as such, or to the Allopathic system as such or the Homeopathic system as such, as would preclude the impartial, equitable consideration of the claims and possibilities of each system? That is a matter which the Honourable Member may decide for himself and which he may deal with in his conversations with his friends.

MR. M. SIVATHANU PILLAI: I am sincerly and heartily thankful to the Chair for making this declaration on behalf of the Government. And at this juncture, I may even persuade myself to follow that advice, and request the mover of this motion the Honourable Member Mr. Jabamony Nadar to withdraw his motion for circulation and allow the House to go on with the further consideration of this Bill as revised by the Select Committee.

SADASYATILAKA T. K. VELU PILLAI: I wish to say a few words, Sir Your statement which you have made on behalf of the Government, has cleared many doubts which I entertained.

PRESIDENT: Yes, that is so.

SADASYATILAKA T. K. VELU PILLAI: If, in the previous stages, the Government members had made it possible to make us understand the position, much of this discussion would have been averted.

PRESIDENT: The Honourable Member must be tolerant of the position of the Honourable Members on the Front Bench on the right hand side. They are functionaries of Government who cannot formulate policies by themselves. I am in a somewhat different position. When an occasion arises, when I find it necessary to resolve doubts or apprehensions which are existing, I find it incumbent upon myself to make a statement of policy. The Legal Remembrancer, or the Chief Secretary cannot obviously make such statements of policy.

SADASYATILIKA T. K. VELU PILLAI: I am not making any castigations upon them. I was merely pointing out a difficulty. When the Chair makes a statement, it puts the whole matter in a different way and even we feel that for a time our reasoning powers may have to suffer a set back.

PRESIDENT: I hope not.

SADASYATILAKA T. K. VELU PILLAI: But you are in the Assembly only in the capacity of the President and not as the Dewan.

PRESIDENT: Order, order. I am glad that the Honourable Member has raised this question. It is perfectly true. The contention of the Honourable member is legitimate and I think he has done a public service in bringing it prominently to notice.

[President]

The Dewan in this House, is normally and primarily, the Chairman of the House, And statements by the Dewan have to be specifically and formally made under the rules. It is, no doubt, open to technical objection if there is confusion of jurisdiction or function between the occupant of the Chair of this House and the occupant of the headship of the administration. The line is difficult to draw. It has been rendered more difficult because adequate precedent is not available elsewhere. In the Central Assembly, for instance, the Chairman or the President of the Assembly is a person who has nothing to do with executive functions. The Speaker of the House of Commons is not a member of Government. It is where this combination of functions is brought into existence that a balance has to be struck as to how far and on what occasions the President, as such, has to be superimposed upon the Head of the Administration or the Head of the Administration has to be superimposed on the President. I have taken the view—it is a personal view—that for the purpose of clarification of issues of policy, there is no point in myself, as President, remaining oblivious of the knowledge which I have derived and the experience which has been mine and the steps that have been taken by me in another capacity. If I were to shut my month and keep silent when a thing is taken as granted and which is against the policy of Government, then I would be driven to the expediency of invoking that special rule here, the rule which asks me to give notice to the Honourable Members that I am going to make a statement. I will have to make that notice every time I wanted to make a statement, So every five or ten minutes I will have to stand up and say 'I am going to make a statement. I have ceased to be the Chairman of this House for the time being'. That is not a possibility. So, on account of the obvious embarrassment that would be caused by such a course of conduct, I have no doubt, strictly transcended the rules of business to that extent. I have done that on account of the forbearance and the indulgence of my fellow members of the Legislature. If their opinion is that the other system would be better suited to the exigencies of the occasion, I am entirely open to reconsider the position.

SADASYATILAKA T. K. VELU PILLAI: The only point I want to make is this, if an official member is in a position.........

PRESIDENT: When the occupant of the Chair thus irregularly fulfils functions which are not entirely those of the Chair, he shall, to that extent, subject himself to all the rights and obligations of interrogation, castigation, bastinadoing. I want to make it absolutely clear that I shall regard that as necessitated by an irregularity to which the recipient of the castigation has rendered himself strictly liable, and I make this declaration openly and without reserve.

SADASYATILAKA T. K. VELU PILLAI: I only want to say that habit prevents us from exercising that power, when the President is talking, especially when you are the President. My only submission to this House is this, that in matters of policy Government Members

might find it difficult to explain. But in matters regarding the reasons and details of a Bill—I am making no personal remarks, they are all estimable men doing their best—we shall be able to get information in the early stages so that they also might agree with us. Now the difficulty is, we feel that we are on this side and they feel that they are on the other side. But they at the same time feel that they will get your support.

PRESIDENT: The Honourable Member is doing an injustice. I think the occupants of Benches on the right hand side have felt even more strongly than the occupants of the Benches on the left hand side a rather heavy hand from the Chair.

SADASYATILAKA T. K. VELU PILLAI: But they can look to you as a source of inspiration whereas we cannot.

PRESIDENT: Order, order. That is entirely the honourable member's mistake. If, for instance, the honourable member Mr. T. K. Velu Pillai, or Mr. Sivathanu Pillai, or Mr. Jebamoni Nadar had insisted on seeing me and asked what the intention of Government is in introducing legislation of this kind, which has got the object of shifting the Siddha system or some other system. I should have explained myself as fully and as comprehensively as I am now doing to the official members. Just as I invite for resolving without any reserve the doubts and difficulties of officials. Heads of department or the Legal Remembrancer or the Chief Secretary or the Advocate General, so likewise am I open to the non-official members. After all, I am only a fellowmember. As a member of the Assembly, I am the chief, no doubt, but I am a fellow member. If Honourable Members think that a grave injustice is done to one system of practice or that one class of practitioners are being given special advantages, it is open to them to come and ask me for explanation and I would be abdicating my duties if I do not do so.

SADASYATILAKA T. K. VELU PILLAI: I must say that this side of the House is very grateful to you for that announcement. I only want to say that if any difficulties arise, the right of moving amendments may be given to us.

MR. T. C. KESAVA PILLAI: ഈ ബില്ല് ഇപ്പോൾ പാസ്സാക്കേണ്ട എന്നുള്ള അഭിപ്രായം പല മെംബറന്മാർക്കും ഉണ്ട്. ഇതിനെപ്പററി അനേകം ഭേദഗതികൾ ഓരോരുത്തരും അവതരിപ്പിച്ചുകൊണ്ടിരിക്കുന്നതായാൽ ഈ ബില്ല് പാസ്സാകുന്നതിനു വളരെ കാലതാമസം വേണ്ടിവരും. കൂടാതെ അതിൽ തർക്കങ്ങളും പല മാതിരി വന്നുകൊണ്ടിരിക്കും.

സിദ്ധവൈദ്യത്തെ സംബന്ധിച്ചിടത്തോളം എനിക്കു പറയുവാനുള്ളത് ഈ യുദ്ധപരിതസ്ഥിതിയിൽ മരുന്നിനു വലിയ വില കൊടുക്കേണ്ടിയിരിക്കുന്നതിനാൽ നല്ല മരുന്നുകളും മററും അവരുടെ കൈവശം കാണുകയില്ല. രോഗികൾക്ക് അവർ വല്ലതുമൊക്കെ കൊടുത്തു ചിലപ്പോൾ അപായത്തിലും കലാശിക്കും. എന്നാൽ അലോപ്പതിക്കും ആയുർവേദത്തിനും ഈ വൈഷമ്യം ഇത്ര ഉണ്ടായിരിക്കയില്ല.

PRESIDENT : Order, order. The Honourable Member must not make sweeping observations at this time without also adverting to the fact that there is a school of thought the all systems of medicine are equally useful.

MR. T. C. KESAVA PILLAI ; സർ, ഈ ബില്ലിനെ ഞാൻ നല്ലതു പോലെ വായിച്ചു പഠിച്ചതിനു ശേഷമാണു പറയുന്നതു്. ഈ സംഗതിയാൽ മി. തിരുമൂർത്തിയെ പ്രശംസിക്കുകയും ചെയ്യുന്നു. അതുകൊണ്ടു് ഈ ബില്ലിനെ താമസംവിനാ പാസ്സാക്കണമെന്നു് അപേക്ഷിച്ചുകൊള്ളുന്നു.

MR. KANNANTHODATH JANARDANAN NAIR : (*Karunagapalli cum Kartigapalli*) : Ebullitions from all sides of the House regarding this Bill show the interest the members are evincing in it. On one side the opposition to the Bill is made strong by the mere fact that one system of medicine is given preference over another system. Every system, either western or eastern, indigenous or foreign, has its own advantages and disadvantages. But because of certain peculiar considerations, because of certain advantages conferred on certain systems in the past, they have gained popularity and advantages over the other systems. Now that there is a promise that every system will be getting adequate representation, adequate treatment, at the hands of the legislature, there is no need for any misconception. On the other side, the official side, there seems to be the opinion that when we say that the Bill should be postponed to another session, we are using obstructive tactics, and that we are not for allowing the Bill to pass into law. Sir, we are intelligent enough, educated enough and experienced enough to understand that this Bill is a necessity and by this we will be able to put down the havoc done by quacks to humanity. So, when we argue that this Bill should be postponed to another session it is not our intention and it will never be our intension that it should die out. Mr. Sivathanu Pillai was telling us in the House that Tamil and Malayalam versions of the Bill were not given. That may have handicapped a good many. I ask, Sir, if the people want to know more about the Bill and the treatment afforded to different systems of medicine, why not supply them those versions—translations. Why not we allow them some time more to know more about the Bill so that they may have clearer ideas of it. That will, I am confident, only make support the Bill in a stronger manner than at present.

Sir, you said yesterday that another session of the House will have to be convened for a particular purpose after a month or two. If that is so this Bill can be taken up for discussion then. There is according to you a possibility of dissolving the House after this session itself. That is the best service you can do to this country. Whether that is to be done or not, I fear from the number of amendments that have been tabled, that this Bill cannot be finished at the present session. The number of amendments exceeds 150.

PRESIDENT: All that I said was that if we are not able to finish the legislative business during the current session, it may be necessary to go ahead with the Bill in some such intermediary session very shortly.

MR. KANNANTHODATH JANARDANAN NAIR: So, I take it that even if we were not able to finish the 150 amendments today itself, we will either have to convene another session or even if the House is dissolved the subject will have to be taken up at the next meeting of the Assembly. I do not see any harm in adopting such a course. By doing so we will also have, by the time, given Malayalam and Tamil versions of the Bill, and those who complain at present will have time enough to study and understand the Bill in all its aspects. The hurry which has to some extent frightened them can also be avoided.

MR. K. G. GOVINDAN (*Pattanamthitta*): Sir, the motion before the House is for recirculation of the Bill. The main arguments advanced by the honourable member who moved for re-circulation of the Bill are (1) that the Bill as revised by the Select Committee was not published and (2) the absence of Malayalam and Tamil translations of the Bill. I submit, Sir, these two were substantially the arguments raised by another honourable member who moved for recommitting the Bill to a select committee. That motion for recommittal of the Bill to a select committee has been ruled out. So I submit, strictly, this motion should also be ruled out.

PRESIDENT: But this motion is perfectly in order.

MR. K. G. GOVINDAN: Then, coming to the merits of the Bill, with regard to the question that the Bill has not been published in Malayalam and Tamil, I ask, what is the object in publishing the Bill in those languages. I understand that the object of that is, that persons who are going to be affected by this Bill may read it and understand and if they have any suggestions or improvements to make in it, they may move Government formally or they may give necessary instructions to the members of the Assembly to make the necessary amendments, in this Assembly when the Bill is taken up here. Now there are 157 amendments to this Bill. That evidently shows that the members of this Assembly have studied the Bill either on their own account or they have been influenced to study the Bill by persons who are affected by the Bill As far as my experience goes in this Assembly, I have not seen any Bill for which so great a number of amendments have been tabled, except the Debt Relief Bill. Even there, I do not think the number of amendments amounted to such a number. So, even if it is a fact. I understand that the translations were published—even if it is a fact that they were not published, the mere fact that so many amendments have been tabled here shows that the Bill has been very carefully studied both by the members of this Assembly and the general public who are to be affected, so that that argument cannot hold water.

Again, Sir, this Bill is a very necessary one. I have myself in my possession some 13 to 14 copies of memorials, printed and published by various associations, both Ayurvedic and Homeopathic. I have

[Mr. K. G. Govindan.]

met several persons and they have told me that a Bill of this kind is absolutely necessary to check the quacks. So, as has been suggested by this House, if this Bill is now postponed, we will have a very similar experience of what happened 4 years ago. The Bill which came 4 years ago was somehow or other held in abeyance and now it has taken another 4 years to pilot a similar Bill. If this is not taken up for consideration now, nobody knows when such a Bill will come up again. Such a necessary Bill to be postponed *sine die* is very hard. So, I oppose the motion for re circulation.

MR. S. CHATTANATHA KARAYALAR (*Pathanapuram cum Shencotta*), (*Deputy President*): Sir, I wish to make a few observations. In the first place, let me offer a few remarks regarding the technical aspect of the matter. The motion before the House is worded as a motion for re-circulation of the Bill. It is really one coming under S. O. 27. In effect, the motion is a motion for the adjournment of the business under discussion and if therefore the motion is carried, then the business will be deemed to be disposed of, in which case no further motion can be made on the Bill. In other words, the Bill will be shelved. That is the implication of the motion. This is a serious aspect which the House has very well to consider before the question is put. It means that the Bill will be rejected even at this stage and the Government will have to come forward with another Bill. Is that the fate which this House desires should overtake this Bill? The House has already committed itself to the principle that the registration of medical practitioners is necessary. That being the basis of the Bill, and the House having committed itself to that position, is it proper that this Bill should meet the fate of being overthrown? I feel, Sir that the House will be stultifying itself by adopting a motion of this nature after accepting the principle of the Bill.

Coming to the merits of the motion, I am of the opinion that there is only one central idea in the Bill. It provides only for the registration of the medical practitioners in this State. That is the central idea round which all the provisions revolve. That has always to be kept in mind.

PRESIDENT: I take it that the honourable member will agree that there are only 3 sections in the Bill on which all other sections revolve, namely Sections, 3, 23 and 33.

MR. S. CHATTANATHA KARAYALAR: That is exactly the point which I want to impress on this House. After all, registration of the practitioners is not going to affect the merits of each system which is contemplated to be regulated. Is there any provision which seeks to interfere with any particular system of medicine? That is the question which I want to put bluntly to this House. If that were so, I can understand the motion for re-circulation. Government have explicitly stated that no system of medicine, whether Siddha, or Ayurveda or any other, will be interfered with. Even with regard to the administration of any particular system of medicine, the idea is that

unless a body of experts proficient in that system is sitting in judgment over any particular matter that system will not be touched and in that event no harm will ensue. That is the considered view and policy of Government, and rules will be framed on that basis. I cannot understand the apprehensions entertained by a section of the House that this Bill is going to affect any system of medicine, because there is no provision for the inclusion of more representatives in the Medical Council.

I do not want at this stage to refer to the background of this Bill. My honourable friend Mr. E. Subramonia Aiyar has referred at length to the background of this piece of legislation. After all, this piece of legislation is motived by the interests of the community and not by the interests of the profession. It is the interest of the community that is responsible for this Bill being brought forward. I think, Sir, that in the interests of the society, consideration of the Bill has to be proceeded with. It should not be allowed to have the fate of its predecessor. In these circumstances, I oppose the motion for re-circulation of the Bill. At the same time, I would appeal to the honourable members to go forward with the Bill and have it passed as early as possible.

SADASYATILAKA T. K. VELU PILLAI: May I ask one question. With reference to the Preamble which says, 'whereas it is expedient to regulate the qualifications and to provide for the registration of practitioners of the various systems of medicine with a view to encourage the study and spread of such systems and to enact a law relating to medical practitioners generally', may I know, whether there is any provision for regulating the latter part?

PRESIDENT: How does that arise?

MR. C. JABAMONY NADAR: Sir, in view of what has been said by some membeas, I think a word of personal explanation is due from me. I never misunderstood the intentions of the Government, or of the member piloting the Bill.. I always realise that there is no purpose in hurrying up or delaying the passage of any Bill, unless there be sufficient justification for either course of action. If I moved this motion it was not as a matter of dilatory tactics. Yesterday when my friend Mr. Sivathanu Pillai moved for recommittal, the sense of the House was that a motion for adjournment or re-circulation would be more appropriate and I took the hint.

Further a Bill can be taken up for consideration only after the expiry of 3 months from the date of publication in the Gazette. That period prescribed by the Standing orders has not yet elapsed.

PRESIDENT: At this stage the honourable member need not explain the attitude now taken up by him. But if honourable members think that sufficient consideration has not been paid by the country at large to the Bill, then it is their right to move a motion for re-circulation of the Bill by adjourning the business of the day, and the fact that 6 months or one year may have to elapse before this question comes up again cannot be considered. That there must always be complete ventilation of views in any measure is a matter which everybody is concerned with.

MR. C. JEBAMONY NADAR: I take it Sir, that of all the places in the world, the floor of the legislative House is the place where law is strictly adhered to. These are some of the reasons which prompted me to move this motion, because I felt that the general public who are primarily interested in the matter had not sufficient notice of the provisions in the Bill.

MR. T. C. KESAVA PILLAI: ഏതാനും മെംബർമാർ സിദ്ധവൈദ്യന്മാരുടെ വക്കാലത്തും പിടിച്ചുകൊണ്ട് ഈ ബില്ലിനെ തടസ്സപ്പെടുത്താൻ വന്നിരിക്കുന്നു.

MR. C. JEBAMONY NADAR: The honourable member has his own personal interests to urge, but not those who advocate the cause of Tamil vythiam.

MR. T. C KESAVA PILLAI: കഴിയുന്നതും പ്രസംഗങ്ങൾ കുറച്ചാൽ കാര്യങ്ങളെല്ലാം വേഗം നടക്കുമെന്ന് ഉദ്ദേശിച്ചാണ് ഇങ്ങനെ പ്രസ്താവിച്ചത്.

MR. C. JEBAMONY NADAR: As a matter of fact I am never in need of the member's advice.

PRESIDENT: Personal exchanges, however interesting it may be to the persons when we have only 3 hours more, might prolong the proceedings needlessly.

MR. C. JEBAMONY NADAR: As for the insinuation of Mr. T. C. Kesava Pillai, all that I have to say is that it is not briefless lawyers who are advocating the cause of the Siddha system and my learned friend should not judge others from his own standard In deference to the opinion of the Chair I do not proceed to explain why Mr. Kesava Pillay taken at adverse attitude.

I am not at all over interested in any system. If one reads my amendments carefully it will be seen that I do not want to stand in the way of any one anxious to pass the Bill provided that the existence, of the ancient, "Siddha" system is not threatened. The Chair has now removed all such anxiety and made the position clear. I trust also that the Medical Council would never stamp with inferiority complex any of the Indian systems of medicine. So, having regard to the observations from the Chair, I do not wish to press my motion.

PRESIDENT: I do hope that no honourable member will throw that intolerable burden on the Chair. The Chair was only anxious to point out that, having regard to all the circumstances of the case, this was the proper time to go on with the Bill. The responsibility for it, I should submit with some humility, rests on the House and not on the Chair.

MR. C. JEBAMONY NADAR: It is only to indicate my respect to the Chair that I expressed myself in that way. I take the responsibility.

PRESIDENT: The Bill is now open for consideration.

MR. A. K. KUMARAN VAIDYAN (*Kunnatnad* cum *Parur*): സർ, ഈ മെഡിക്കൽ രജിസ്ട്രേഷൻബിൽ കഴിയുന്നതും വേഗത്തിൽ പാസ്സാക്കേണ്ടതു് ഏററവും അത്യാവശ്യമാണെന്നാണു് ഞാൻ വിചാരിക്കുന്നതു്. എന്തെന്നാൽ സിദ്ധവൈദ്യം എന്നു പറയുന്നതു ആയുർവേദസമ്പ്രദായത്തിൽ നിന്നും ഉണ്ടായിട്ടുള്ളതാണു്. അഗസ്ത്യമഹർഷി ഉണ്ടാക്കിയ അഗസ്ത്യസംഹിതകൊണ്ടു് തമിഴിൽ സിദ്ധവൈദ്യാപനം എന്നു പറയുന്നതു.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, I rise to a point of order. At this stage no speech is admissible.

PRESIDENT: Yes, no speech is admissible.

Clause 1.

MR. JOSEPH VITHAYATHIL (*Kunnatnad* cum *Parur*): I beg to move the following amendment:

> "For Sub-clause (3) of clause 1, substitute the following:
>
> "(3) It shall come into force on such date as Our Government may by notification in Our Government Gazette appoint"

The clause as it now stands reads thus:

> "Chapters I, II and III shall come into force on such date as Our Government may by notification in Our Government Gazette appoint. Chapter IV shall come into force at the expiry of one year from the date on which Chapters I, II and III come into force"

The reason why Chapter IV is proposed to come into force after the expiry of one year from the date on which the other Chapters come into force is that the medical practitioners should be allowed one year for getting themselves registered and that no penal provision should be enforced till the expiry of that period. But that object is achieved by the second proviso to clause 36. That proviso says:—

> "Provided further that this section shall not apply to any person who after having filed the application for registration is awaiting the decision of the Council or of Our Government in case of appeal, if such application or appeal is presented within a period of one year from the date on which this Act comes into force"

It is clause 36 that prohibits medical practitioners from practising the profession unless they get themselves registered under the provisions of the Act. When the proviso to that clause gives a period of one year for filing the application for registration there is no necessity for postponing the operation of that clause for one year from the date on which Chapters 1, 2 and 3 of the Act come into force. The combined effect of clause I sub-clause (3) as it is and of the second proviso to clause 36 will be to give a period of two years from the date of the commencement of chapters 1 to 3 for medical practitioners to get themselves registered. Then again there are other provisions in chapter IV the operation of which should not be postponed. We shall consider the other clauses in chapter IV. Clause 37 is the penal clause corresponding to clause 36 and therefore goes along with it. Clause 38 deals with the conferring, granting or issuing of degrees, diplomas, licenses, certificates etc., by unauthorised persons or institutions. It certainly is not the object of the Bill to allow unauthorised persons or institutions to issue degrees diplomas etc., for a period of one year after the commencement of the Act and thus increase the number of persons who may not be qualified for registration under the Act. It has to be remembered that it is by way of concession that we are allowing existing unqualified practitioners

[Mr. Joseph Vithayathil.]

to get themselves registered. Should we make provision in the Bill for increasing the number of such unqualified practitioners even after the commencement of the Act? Clause 39 contains the corresponding penal provision. Clause 40 deals with the unauthorised use of titles etc., by medical practitioners. There is no reason why people should be allowed to use false titles etc., for a period of one year from the date of the commencement of the Act. Clause 41 contains the penal provision. Clauses 42 and 43 also contain provisions the operation of which need not be postponed. Clause 44 says "No suit, prosecution or other legal proceedings shall be instituted against any person for anything done or intended to be done under this Act, rules or regulations except with the previous sanction of our Government." Why should the operation of this clause be postponed for one year? Should people be allowed to institute such suits without the sanction of the Government for a period of one year from the date of the commencement of the Act.

PRESIDENT: A certain time should be allowed for people to accustom themselves to a new state of things, they having been accustomed to the existing state of affairs for the last so many years. While I am anxious that the Bill should be enacted making people realise what is going to happen, why should we not give them a certain period of time?

MR. JOSEPH VITHAYATHIL: Clause 36 as it now stands enables people to accustom themselves to the new state of affairs for a period of one year. So my submission is that clause (1) should be amended as proposed by me.

MR. K. G. KUNJUKRISHNA PILLAI: I am very grateful to the honourable member for pointing out that small defect in Section 36. There is an amendment proposed to Section 36 which I am willing to accept. So my suggestion is that we should amend proviso to Section 36 to that extent and leave Section 1 as it is. I may also explain that the registration will not be complete within one year. We must give some time for completing the register. It was thought that at least one year should be given for completing the register. So any penalty that is intended by the Act will arise only after one year. That is why it is proposed that Chapter IV shall come into force after the expiry of one year from the date on which Chapters I, II and III come into force. There is an amendment proposed by the honourable member to Section 36 which I am prepared to accept.

MR. JOSEPH VITHAYATHIL: According to the proviso to Section 36 only an application need be filed within a period of one year. It is not necessary that a practitioner should get himself registered within that period. There is no need for extending the period for putting in the application. Moreover there is no justification for postponing the operation of the other clauses in Chapter IV. So my submission is that the amendment is absolutely necessary. Otherwise we may meet with the same difficulty as we experienced in the case of the Jenmikudiyan Act. So far as my amendment to the proviso to Clause 36 is concerned it is only a verbal amendment.

MR. K. G. KUNJUKRISHNA PILLAI: The honourable member will see that rules and regulations will have to be drawn up under the provisions of the Bill. That will naturally take some time.

PRESIDENT : Supposing, for instance, we do not have the 2nd proviso to Section 36 and we rely only on sub-clause (3) of clause 1. Would not that meet with your case ?

MR. K. G. KUNJUKRISHNA PILLAI : Yes, it will solve the difficulty.

PRESIDENT : You may consider that. For the time being we shall deal with sub-clause (3) of clause 1.

MR. JOSEPH VITHAYATHIL : I will make my position clear. If the 2nd proviso to clause 36 is deleted and this sub-clause is allowed to stand as it is, there will still be difficulty with regard to the other clauses in Chapter IV.

PRESIDENT ; Supposing it were stated like this 'Chapters I, II, III and IV shall come into force on such dates as the Government may respectively fix ?'

MR. JOSEPH VITHAYATHIL : Then there will be no difficulty provided the second proviso to clause 36 is deleted.

PRESIDENT : Supposing it were stated—it is not a ruling—'Chapters I, II, III, and IV shall come into force, respectively, on the dates to be fixed by Government.' How will the honourable member deal with that matter?

MR. JOSEPH VITHAYATHIL : That will be sufficient. My amendment itself is this.

"For sub-clause (3) of clause 1, substitute the following :

> "(3) It shall come into force on such date as Our Government may by notification in Our Government Gazette appoint".

MR. E. SUBRAMONIA AIYAR : The question as I understand, apart from clause 36, is whether the operation of clauses 38, 40, etc., should be postponed. That is the real question. If clause 1 is allowed to stand as it is, Chapter IV shall come into force at the expiry of one year from the date on which Chapters I, II and III come into force.

PRESIDENT : Supposing it were stated in this way. "Chapters I, II, III and IV shall come into force on such dates, respectively, as Our Government shall fix." What has the honourable member to say with regard to that?

MR. E. SUBRAMONIA AIYAR : The objection raised by my honourable friend Mr. Vithayathil is with regard to clauses 38, 40 and 44. Such clauses must have operation as soon as the other portions of the Act come into force. As I understand that seems to be the objective my friend has in view.

MR. JOSEPH VITHAYATHIL : I may add that there are further difficulties when those clauses come into force. Will not the medical practioners get a period of two years after the Act comes into force ?

MR. E. SUBRAMONIA AIYAR : I am keeping that in view. My present point is not the desirability of allowing practising for 1 or 2 or 3 years, as the case may be, but it is a matter of time. The provisions of Chapter IV shall come into force only at the expiry of one year. So the result would be that the persons who are not registered may practise for nearly three years One year is fixed by the statute and 2

[Mr. E. Subramonia Aiyar]

years by the proviso. Whether it be 1 or 2 or 3 years, there is no reason for the substitution of the provisions. Now there is a question of inconsistency. Well, if the House thinks that Section 4, although a substituted provision, may come into operation along with other provisions, can we put into effect those substituted provisions? There are practical difficulties in the way. Some time must be given for the purpose. Some person may confer a degree. He may have an American degree in the interval, or a man may add a title M. B., B. S. But the real question is, should all those things continue and go on? We want some breathing period.

PRESIDENT: I have given some considerable thought to this. I am only putting to the consideration of the House that having looked into clauses 36, 38 and 40, if we retain sub-clause (3) and say: "Chapters, I, II, III and IV shall come into force on such dates as Government may, by notification in Our Government Gazette, appoint".

SADASYATILAKA T. K. VELU PILLAI: I thought of seconding Mr. Vithayathil. But the explanation from the Chair has enabled me to take the view that all purposes will be served if sub-clause (3) of Section 1 is amended in the manner suggested. My reason is that the provision in clause 36 is not very serious. Here is a Bill which gives all powers to Government. My honourable friend the Legal Remembrancer said that there are various things to be done. That is a sound argument.

We shall have to deal with the Bill in a comprehensive manner. I therefore accept your suggestion.

MR. N. RAMAKRISHNA PILLAI (*Vaikom cum Kottayam*): I would suggest that the consideration of clause 3 may be deferred till the consideration of clause 36. The proviso to clause 36 .....

PRESIDENT: At present we are not considering Clause 36.

MR. N. RAMAKRISNA PILLAI: My friend Mr. Vithayathil's difficulty seems to be that Chapter IV will come into force only one year after the new Act. Clause 36 regarding appeals by practitioners will take effect under proviso to clause 34, only after one year after the Act comes into force.

PRESIDENT: But after all you must remember that there are various kinds of practitioners......homoeopaths say that there are colleges having Hanumans; Sidha Vaidyas say that there is a certain number of Hanumans who come and whisper in their ears. You must allow othe people to have a number of Hanumans to whisper into their ears so that there will be 5 or 6 Hanumans to come into the Bill.

MR. N. RAMAKRISHNA PILLAI: I would suggest that clause 36 may be retained or may be removed when that clause is being considered.

MR. K. G. KUNJUKRISHNA PILLAI: If this is the amendment I am prepared to accept it:

> "Chapters I, II, III and IV shall come into force on such dates as the Government may appoint."

PRESIDENT : You may say :

> "Shall come into force on such date as the Government may appoint in respect of all of them or any of them".

The whole point is this. The Act will come into force, but the infraction of the Act will not come immediately.

MR. K. G. KUNJUKRISHNA PILLAI : Chapters I, II, III and IV shall come into force on such date or dates or certain provisions of Chapters I, II, III and IV alone shall come into force on such date or dates as the Government may by notification in Our Government Gazettee appoint.

MR. KOTTALIL P. ABRAHAM : The proviso to clause 36 "the date on which this Act comes into force" should be modified.

PRESIDENT : When you come to clause 36 it should be modified.

SADASYATILAKA T. K. VELU PILLAI : All the provisions contained in Chapters I to III shall come into force or Chapters I, II and III and all or any of the provisions contained in Chapter III. I think this would be better.

MR. K. G. KUNJUKRISHNA PILLAI : This is the amendment I propose.

> "The provisions of Chapters I, II, III and IV shall come into force respectively on such date or dates as Our Government may by notification in Our Government Gazette appoint."

The amendment was put and carried.

The question whether clause 1 as amended do form part of the Bill was put and carried.

Clause 1 was added to the Bill.

Clause 2.

MR. C. JEBAMONY NADAR : I move the following amendment.

> In clause 2, sub clause (b), delete the word 'Dharmasalas' in lines 3 and 4.

Dharmasala means only a charitable institution and I do not think that it can be so interpreted as to mean only a medical institution and the word is not defined in the Bill.

PRESIDENT : Sometimes this term is used as a place where free medical treatment is given.

MR. C. JEBAMONY NADAR : If the word 'Dharmasala' has that meaning always then there will be no confusion. But as it stands it may include an orphanage also.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, that word is taken from the Bombay Act where it is used to indicate a place where free medical aid is given.

RAO BAHADUR DR. T. S. TIRUMURTI : The Gujaratis are using that word.

SADASYATILAKA T. K. VELU PILLAI : Sir, that word is used by Buddhists.

The amendment was put and lost.

MR. K. G. GOVINDAN : I move the following amendment :

> In clause 2, delete sub-clause (f) and explanation thereunder and insert instead the following : "(f) 'Medical work' means practice of the healing art for human ailments of any sort by any measures excepting those in the nature of major surgical operations".

[Mr. K. G. Govindan]

We have to read along with this clause 29 (1). We know that as a matter of fact in this country there are very many Ayurveda practitioners. A good majority of them are entitled to be registered under this Act only if they are able to satisfy the council that they have been practising for the past five years. This section says that no registered practitioner shall do any work other than medical work. And according to the definition of medical work, it is the healing art for human ailments of any sort by any measures, by administrations of medicines by natural channels. So it comes to this that Ayurveda practitioners who are now practising in this country cannot administer any medicine. If that is the case, there will be a lot of hardship. Further, according to Ayurveda there are several methods of giving medicine: Vasti, Virechana, etc.

PRESIDENT: I take it that the idea is that it is difficult for laymen to find out supernatural methods of administration of medicine. For instance Ashtangahridaya, which I had the opportunity of studying, speaks of Manimantra. It says that it may not be possible to practise without 'mani' and 'mantra'. But here is a person who so far as we know Ashtangahridya practises through natural channels. If a person says that he is able to carry on administration of medicine through supernatural channels then that does not come under this Act.

VAIDIASASTRANIPUNA DR. L. A. RAVI VARMA (*Co-opted for the Bill*): Sir, there are other methods of administration of medicine than through natural channels. We do not want that to be done except by those who are trained. Therefore, when major surgical operations are to be undertaken, it is absolutely necessary to prohibit ordinary people from doing it. Therefore, the section should stand as it is.

The amendment was, by leave, withdrawn.

MR. G. VELU PILLAI: Sir, I move;

> In clause 2, sub-clause (r) omit "and" between "Unani Tibi" and "Homoeopathy" and after "Homoeopathy" and "Naturopathy" and other systems which may be recognised by the Travancore Medical Council".

Sir, practitioner is defined in clause 2 (g) as any person ordinarily engaged in the practice of any system of medicine, and systems of medicine' include only Allopathy, Dentistry, Ayurveda, Siddha, Unani Tibi and Homoeopathy, according to the present Bill. But there are various other systems also in this country and Naturopathy is one of the most important of them. There are many persons practising Naturopathy especially in Central Travancore. Naturopathy is recognised in many other countries. For instance, in Indore, Baroda and Mysore, Naturopathy is recognised. It is also recognised by the General Medical Council of Great Britain.

MR. S. CHATTANATHA KARAYALAR: Is there any institution in Travancore, which imparts instruction in Naturopathy.

MR. G. VELU PILLAI: There is a Naturopathy institution in Central Travancore.

PRESIDENT: Do they give diplomas?

MR. G. VELU PILLAI : They do not give diplomas. Naturopathy is recognised by almost all the States in America and Naturopathic Acts are also passed by many States there. Under Section 6 of the Naturopathic Act in the State of California, Naturopathy is defined as follows : "for the purpose of this Act, Naturopathy is hereby declared to include Physiotherapy, Physical therapy, Phytotherapy, Bio-chemistry, Instrumentation and the use of antiseptics, and the science and art applied therapeutics, and prophylactic hygiene and sanitation, which enables the Naturopathic physician to direct, advise, prescribe, dispense, or apply food, water, roots, herbs, plants, oils, light, heat, colour, exercise, active and passive manipulation, connecting vital tissue, organs or anatomical structure by manual, mechanical, electrical instruments or appliances or any and all natural agencies that have been in use in the past, that are now in use or that may be used in the future to assist nature to restore a physiological and psychological interfunction for the purpose of restoring and maintaining a normal state of health, mentally and physically.

PRESIDENT : With the utmost respect may I ask the name of the Californian Lawyer who has drafted that law?

MR. G. VELU PILLAI : I am sorry I do not know his name. But the same definition is found in other States also. New Jersy, Arizona and some other States adopt it.

PRESIDENT : What does "Instrumentation" mean ? Does the use of say pickaxe in the case of certain ailments mean "Instrumentation"?

MR. G. VELU PILLAI : I have not studied any system of medicine myself, and so I don't know whether pickaxe is being used for any ailment. I was only reading the bare text of the Act.

PRESIDENT : I decline to consider the Californian legal projects unless greater proof is given to say that instrumentation is a system of medicine. California or no California, India will have commonsense.

MR. G. VELU PILLAI : It is also found in other advanced and civilised States in America. Not only in California.

PRESIDENT : The honourable member will be aware that America has got great originality. Though the word Naturopathy was created in B. C. 4000, Abraham did not live for 969 years. But the fact that it is in the statutes of some country is not going to be a guidance for us. If an honourable member of this House says that in his opinion it is necessary I shall consider that. If he invokes California I shall not have the slightest respect for it.

MR. G. VELU PILLAI : All that I say is that, since other advanced countries in the world have recognised Naturopathy as a system of medicine and as that system is being successfully practised by many people in Travancore also, that may also be included in our Act.

PRESIDENT : I can understand that. But to say that 'instrumentation' should be used cannot be allowed. In Central Travancore do they have this 'instrumentation' business also? (Laughter)

MR. G. VELU PILLAI : I am not quite sure. But for our purpose we may omit all the objectionable portions of the definition if necessary.

MR. S. CHATTANATHA KARAYALAR: Sir, I wish to oppose the motion, on the simple ground that if we adopt this provision it will be infructuous because there is no provision in the later clauses and in the schedule in regard to that. It will practically fall to the ground.

MR. E. SUBRAMONIA AIYAR: I do not want to stand against the advent of new ideas and new inventions. I know life is dynamic. But we are concerned here with the systems of medicines which are already in the country. Why not we include psycho-analysis? If you read the books of Freud and others you will find mention made of psycho-analysis. Are we to go into the question of conscious or sub-conscious being. After the war some new ideas may come into force. New ideas are coming in every day. Self expression has become a dominant feature of life. Every person has a newfangled idea. But we cannot allow them to experiment on us. We are too conservative. As a lawyer I am very conservative though I am prepared to move with the times. Here we are undertaking serious legislation. What are the recognised systems that we have? Some tradition and recognition by the people will be necessary before we can include a system in the Bill. We have already got allopathy, homoeopathy, ayurveda and siddha systems. If you take a dictionary you will find so many new names. Certainly we cannot legislate for them all. Let them get recognised. Then our posterity will certainly legislate for them.

MR. G. VELU PILLAI: May I know whether the honourable member knows that this system is recognised in Mysore, Baroda and Indore?

MR. E. SUBRAMONIA AIYAR: I cannot claim superiority to persons in other places. But certainly I can say I am very conservative. If Mysore has adopted it why should we adopt it? I am not going to give up my good sense. How many of the people in Travancore have got faith in Naturopathy or some such system of medicine?

PRESIDENT: I think I can pour oil on waters that are troubled. We do not know the limits to human advance and progress. Supposing we make the following amendment:

"In sub-clause (r), after the word 'means' insert the words "and includes". The sub-clause as amended would read thus:—

"Systems of medicine" means and includes the systems of allopathy, including dentistry, Ayurveda, Siddha, Unani Tibi and Homoeopathy whether supplemented or not by such modern advances as the Council may from time to time have recognised.

RAO BAHADUR DR. T. S. TIRUMURTI: I have no objection to accept it.

DR. S. JOHN: I also accept it.

MR. K. G. KUNJUKRISHNA PILLAI: I accept it and move the amendment formally.

MR. A. LAKSHMINARAYANA AYYAR: I second the Legal Remembrancer's motion.

The amendment was put and carried.

The House adjourned for lunch at 2-4 p. m. and re-assembled at 3 p. m. with the President in the Chair.

PRESIDENT: The House is remined of the elections to the committees to be held this evening, after the regular business is over. The Deputy President will conduct the elections.

DEPUTY PRESIDENT: May I request that the members of the Panel may be authorised, if I happen to be absent?

PRESIDENT: If the Deputy President happens to be absent, the members of the Panel will function.

CLAUSE 3.

MR. K. G. GOVINDAN:

'Delete sub-clause (2) of clause 3 and insert instead sub-clause (2) of clause 3 of the original Bill.'

In the original Bill, sub-clause (2) of clause 3 reads thus:

(2) The Council shall consist of seventeen members who shall be appointed in the following manner, namely:

(*a*) The Surgeon-General, the Director of Public Health, and the Director of Ayurveda to be ex-officio members of the Council;

(*b*) Three members of whom one at least shall be a woman from the Allopathic services under Our Government including the Department of Public Health nominated by Our Government;

(*c*) One member from the Ayurvedic services under Our Government nominated by Our Government;

(*d*) Two members elected by registered practitioners of the Allopathic services under Our Government including the Department of Public Health from among themselves;

(*e*) Two members elected by other registered Allopathic practitioners from among themselves;

(*f*) One member elected by registered practitioners of the Ayurvedic services under Our Government from among themselves:

(*g*) One member elected by other registered Ayurvedic practitioners from among themselves;

(*h*) One member each elected by the registered practitioners of the Dentistry, Siddha, Unani Tibi and Homoeopathy system from among themselves;

Provided however that if there are not at least fifty registered practitioners in any of these systems, Our Government shall nominate a member in respect of that system from among the registered practitioners of that system.

Sir, my object in moving this amendment is, in short, to see that there is, in the Council, a bare majority of Allopathic practitioners. Let me not be understood as having any objection to raising the number of Ayurvedic physicians or Homoeopathic doctors. They may be raised to 4, 5 or 6, provided the allopaths get a bare majority. That is all my object.

[Mr. K. G. Govindan]

Now, this Bill was discussed in the Assembly when it was introduced and was sent to the Select Committee for report. Then the number of members was 17, wherein the allopaths had 9 seats, Ayurveda 4 seats, Dentistry, 1 Unani Tibi 1, and Homoeopathy 1. When this House accepted the principles of the Bill, it accepted, according to me, the fundamental principle of the Bill. This number 9 allotted to the Allopaths, according to me, is a fundamental principle and that principle is that that they should have a bare majority. My submission is that the Select Committee had no power to alter the number so as to reduce the Allopaths to a minority. According to me, the Select Committee has only powers delegated to it by this Assembly. It can by no means, be allowed to sit in judgment over the decisions of this Assembly. By no stretch of imagination can it be stated that the Select Committee can ride rough-shod over the decisions of this House. Of course, it is open to this House to revise its own decisions. But the Select Committee has no power to step beyond its powers. Therefore, this is ultra vires.

It is not necessary for me to go into the respective merits of the Ayurveda, Allopathic, or the Homoeopathic systems, or whether the services done by the Allopathic system is more than the services done by the Ayurveda system or whether the one system are better than another, etc. I do not even wish to go into that. But the mere fact that this Government has allotted a larger sum to Allopathy—

MR. N. NARAYANA KURUP: A point of order, Sir. May I know whether the Select Committee has not power to alter or amend the provisions in a Bill which is sent to that Committee for report? My friend was submitting that it had no power to alter the number and that the amendment made by it is ultra vires.

PRESIDENT: The whole position is this. Government have been spending a large amount of money on the Allopathic system of medicine. That system has been well organised and its followers have got certain methods of proceeding. They have got associations and those associations are in touch with similarly organised associations elsewhere and they have also got a constitution and a method of constitutional work. It must be conceded that other systems like Ayurveda, Siddha and Homoeopathy are not equally organised, and for historical and other reasons, Government have had, as might easily be seen from the budget, to give greater encouragement to the Allopathic system of medicine. Government have been giving a larger grant to that system, not because Government have come to any definite conclusion that that system is the only right system or that the others are not right. So long as a particular system is well organised and is regularly constituted, you have to admit it not because of the superiority of the system, but because of the organisation which has had certain advantages. And it is from that stand point that the honourable House must consider the position. There is no question of any unalterable fundamental principle as to the bare majority or anything of that kind. But it will be noticed throughout the Act, that the advantages of the number will not in any way be to the disadvantage of any other system because each system will be guided by its own experts and governed by its own domestic arrangements.

MR. K. G. GOVINDAN: As remarked by the Chair it is not necessary for me to deal with the comparative merits or demerits of any particular system. The mere fact, as referred to by the Chair, that Government are, year by year, allotting for Allopathy an amount far out of proportion to the amount spent for Ayurveda or any other system, shows that Government have given and are giving a greater amount of recognition and encouragement to the Allopathic system. And therefore, it is only in the nature of things, that that system which is better organised and better encouraged may be given a bare majority in the Council. That is all my object. I have no desire to cry down Ayurveda or any other system for that matter. It is only proper that I do not hazard things by crossing into domains of which I have no particular kdowledge.

As far as I know, there is no British Indian province, which has as yet tackled this difficult task of enacting a comprehensive Act. There are two States, Indore and Baroda which have attempted at a similar legislation. I have got a copy of the Indore Medical Act. There, section 3 reads thus.

3. (1) (*a*) A Medical Council shall be established for the Holkar State.

(*b*) It shall consist of eleven members registered under this Act who shall be appointed in the following manner :—

(*a*) the Inspector General of Hospitals, who shall be the President of the council,

(*b*) two members to be elected by the registered medical practitioners who are in the Holkar State service from among themselves,

(*c*) two members to be elected by all other registered medical practitioners practising in Indore city from among themselves,

(*d*) two Vaidyas and one Hakim to be elected by the registered vaidyas and Hakims respectively, and

(*e*) three members to be nominated by the Prime Minister of whom one shall be a medical practitioner, one shall be a Vaidya and one a Hakim,

In Section 2 of the above said Act "Medical Practitioner" is defined as any person who is possessed of the knowledge of the western Medical Science.

So it comes to this. There are 11 members of whom 6 shall be Allopaths, 3 Ayurvedic Vydians and 2 Hakims, thereby, a bare majority is given to Allopaths. As I said, these are the only two countries which have done this hazardous, I was going to say dangerous, task of amalgamating the various systems of medicine and bringing them all in one Bill.

As I said at the very outset I am not against increasing the number of Ayurvedic physicians. But I would emphasise once again that the Allopathic system may be given a bare majority in the medical council.

[Mr. K. G. Govindan.]

There are about 30 to 40 amendments to clause 3. All these deal with the composition of the council and suggest that its membership should be increased, ranging from 17 to 25. My submission is that all these amendments could be disposed of if this question is disposed of namely, whether there should be a bare majority of Allopathic doctors in the council. That, I submit, is the only question to be considered by this House at present,

MR. KOTTALIL P. ABRAHAM: I second it. At the same time I wish to add a slight amendment which will not go against the motion on principle. My amendment No. 41 in the list is to be added here as a slight amendment to the proposed amendment which I second. My amendment reads thus.

> "(i) 2 members, who are not practitioners of any system of medicine, elected one each by the Sri Chitra State Council and the Sri Mulam Assembly from among their members respectively."

We are all aware that there is a sort of apprehension or rather some competition among the several representatives of the different systems of medicine. Each one fears that the other system would over-ride his own. To avoid that apprehension, I am suggesting this as a remedy. There are to be 2 independent and impartial members who have no sort of interest in any one system. I have taken care to see that the two members elected by the Legislature should not be practitioners of any system of medicine. Such members will be able to hold the balance even between the views representing the rival systems in the Medical Council. Considering the mentality now evidenced or the fear raised by the respective systems in regard to the composition of the council, I think this is a wholesome amendment by which the "majority"—fear may be counterbalanced by this element of impartial voters. According to the main amendment, the number representing the Allopaths will be 9 and the number representing all the other system put together will be 8.

MR. M SIVATHANU PILLAI: Can they take opposite views?

MR. KOTTALIL P. ABRAHAM: Let them take sides with whatever party they deem reasonable.

MR. M. R. NARAYANA PILLAI: May I know whether a dentist is not included in the Allopathic system?

MR. KOTTALIL P. ABRAHAM: Yes. Even then, it does not go against my contention. Therefore my submission is that this amendment will be a wholesome one.

MR. E. SUBRAMONIA AIYAR: Sir, I second the amendment. The principle that has been raised by this amendment is the principle of numbers, and modern society, according to me, attaches too much importance to numbers. No doubt, traditional respect for numbers is one thing. But there are other factors which will have to be taken into account in determining the composition of the council. *Numbers* is one criterion. But in life, not only *numbers* but other matters also will count. Hence my friend Mr. K. G. Govindan wants a distinction

between what is called Allopathic and non-Allopathic. Allopathy is one system of medicine; the other is a conglomeration of all the other systems put together. The question is whether we should accept that or not. So far as the other systems are concerned, there are separate systems. There are class interests. A combinations by them is out of the question. A small minority like the Irish minority in Parliament will be able to control the majority. When we want to constitute a body there are certain points to be considered. There is what is called proportionate representation not only in political matters but in social matters too. If numbers is the criterion, we may find reasons for and against, because of the question of recognition given by Government. Allopathic system has a special pleading. In view of the important advance made by Allopathic doctors and in view of their general education on modern lines, certainly, that system deserves prominence as well as respect in the council. From the point of view of culture, erudition and all the rest of it, every importance has to be given to the Allopathic system. Under these circumstances, I am at one with my friend Mr. Govindan in saying that, as matters stand at present, increased representation should be given to the Allopathic system. It is better to leaven the whole thing by a strong element of Allopathic services so that they may be sympathetic towards other systems of medicine. There are many Allopathic doctors who have got particular leanings and bias to the indigenous system of medicine. When they desire to have a knowledge of that system of medicine that can act and react upon the several systems so that a new system of medicine may emerge out of this combination of culture, erudition as well as scientific training. In this view of the matter also, I would support Mr. Govindan's amendment. All other things being equal, importance has to be given to the Allopathic system. There is a special significance attached to the Allopathic system because of its special background. They have that general culture and training by reason of advanced education, both in the experimental and research side. There is also the past heritage which is their legacy. Therefore, there is a distinct advantage in having a bare majority for Allopathic services. But in the composition of 21 numbers, additional representation is sought not with a view to diminish the majority of the Allopathic doctors. That is the question at issue. My answer is that it is due to the demand in the various systems. The different systems want to see how they fare. Whenever the Siddha system gets better representation, Ayurvedic system also tries to reach the same level. Because there are a large number of practitioners, there is need for large representation in the council. Let us have a clear cut and ready solution in the matter.

MR. THARIATU KUNJITHOMMEN (*Muvattupuzha cum Devicolam*): സർ, ഞാൻ മി. എബ്രഹാമിന്റെ ഭേദഗതിയെ അനുകൂലിക്കുന്നു. അലോപ്പതി, ഡെന്റിസ്ട്രി ഉൾപ്പെടെ പത്തും ആയുർവേദം, സിദ്ധവൈദ്യം മുതലായവകൾ എല്ലാംകൂടി പതിനൊന്നും ഇങ്ങനെ ഇരുപത്തൊന്നുപേർ കൌൺസിലംഗങ്ങളായിരിക്കുകയെന്നുള്ളത് ഏറ്റവും നല്ല

[Mr. Thariatu Kunjithommen]

ഒരു വ്യവസ്ഥയാണ്. അലോപ്പതി സിസ്റ്റക്കാരും ആയുർവേദസിസ്റ്റക്കാരും തമ്മിൽ വഴക്കുണ്ടാകാതിരിക്കുന്നതിനായി രണ്ടുപേരെക്കൂടി അസംബ്ലിയിൽനിന്നും കൗൺസിലിൽനിന്നും യോജിച്ചു തിരഞ്ഞെടുത്തു അയയ്ക്കുന്നതും കാര്യ്യനടത്തിപ്പിനു നന്നായിരിക്കും. അങ്ങനെ ചെയ്താൽ ഏതെങ്കിലും ഒരു സിസ്റ്റം മറെറാരുസിസ്റ്റത്തെ തടയുന്നതിനുള്ള ശ്രമങ്ങൾ നടത്തുന്നതിനുള്ള സൗകര്യ്യവും ഉണ്ടാകുന്നതല്ല. സ്വാകത തന്നെ സിസ്റ്റങ്ങൾ തമ്മിൽ പരസ്പരം മത്സരങ്ങളും വഴക്കുകളും ഉണ്ടു. അതു പരസ്പരം മനസ്സിലാകാത്തതുകൊണ്ടാണെന്ന് എന്നാണ് മററുള്ളവർ വിചാരിക്കേണ്ടതു. ഓരോ സിസ്റ്റപ്രകാരമുള്ള ചികിത്സക്ക രസം, വീർയ്യം, നിദാനം, പ്രപാതം, മുതലായ കാര്യ്യങ്ങളിൽ ഓരോ സംപ്രദായമാണ് അനുഷ്ഠിച്ചുവരുന്നതു. ഓരോന്നിനും വ്യത്യസ്തരീതികളാണുള്ളതു. ഹോമിയോപ്പതി അനുഷ്ഠിക്കുന്ന രീതി അല്ല അലോപ്പതിയൊ ആയുർവ്വേദമൊ അനുഷ്ഠിക്കുന്നതു. ഹോമിയോപ്പതി റീആക്ഷൻ അല്ലെങ്കിൽ പ്രതിലോമഗതി എന്ന തത്വത്തെ ആശ്രയിച്ചുകൊണ്ടാണ് ചികിൽസിക്കുന്നതു. എല്ലാ മരുന്നുകൾക്കും ഒരു പ്രഥമഫലം ഉണ്ടെന്നും അതിന്റെ പരിണാമത്തിൽ ഒരു ദ്വിതീയഫലം അതായതു റീആക്ഷൻ ഉണ്ടാകുമെന്നും ഉള്ള സിദ്ധാന്തമാണ് അവർക്കുള്ളതു. എന്നാൽ അലോപ്പതിയുടെ രീതി മറെറാന്നാണ്. ഇതിൽനിന്നു വ്യത്യസ്തമായ ഒന്നാണ്. അതുകൊണ്ടു ഒരുകൂട്ടർ മറെറാരുകൂട്ടരെ അധിക്ഷേപിക്കുന്നതിനു ഒരുകാരണവുമില്ല. എങ്കിലും ഇങ്ങനെ പരസ്പരം അധിക്ഷേപിക്കുക എന്നതു സർവ്വസാധാരണമായി ഇന്നും നടക്കുന്നുണ്ടു. യൂറോപ്പിൽ മി. ഹനിമാൻ ഹോമിയോപ്പതി സിസ്റ്റം നടപ്പിലാക്കിയപ്പോൾ അദ്ദേഹത്തെപ്പററിയും അദ്ദേഹത്തിന്റെ ആ സിസ്റ്റത്തെപ്പററിയും ചില തെററിദ്ധാരണകളും കുഴപ്പങ്ങളും ഉണ്ടായിട്ടുണ്ടു. അതു മി. ഹനിമാൻതന്നെ സമ്മതിച്ചിട്ടുമുണ്ടു. അതുപോലെ അഡോൽഫ ജസ്ററ ലായിസ ക്രൂനിസ, തുടങ്ങിയ വൈദ്യശാസ്ത്രജ്ഞന്മാർ തമ്മിൽ അൽപ്പാൽപ്പം ശണ്ഠകൾ ഉണ്ടായിട്ടുണ്ടെന്നു നമുക്കറിയാം. എന്നാൽ ഇവിടെ ഈ എല്ലാ സിസ്റ്റങ്ങളും വളർന്നുവരണം. ആയുർവേദത്തിൽതന്നെ ചികിത്സാ സംപ്രദായം പലതരത്തിലുണ്ടു. സ്നേഹപാനം, ക്ഷീരപാനം, വെള്ളത്തിലിരിക്കുക, മുതലായ പലവിധികളും അതിലുണ്ടു. ഓരോന്നിനും ഓരോ പ്രത്യേകഫലവുമാണുള്ളതു.

PRESIDENT: There is a new system of curing most diseases and that is by the method of people taking off their clothes. Various Governments have recognised that system. If the honourable member

would go to Switzerland, on the beach side he will find 50 to 60 people absolutely naked lying on the shore for the sake of curing their diseases. That system has come into vogue for the last several years and is very popular in some countries.

MR. THARIATHU KUNJITHOMMEN; സർ, സാന്മാർഗ്ഗികവിരുദ്ധമല്ലാത്ത ഏതു സിസ്റ്റവും നമുക്ക് ഇവിടെ അംഗീകരിക്കാം. എന്നാൽ പ്രസിഡൻറ് അവർകൾ പറഞ്ഞതുപോലെയുള്ള സിസ്റ്റങ്ങൾ ഇവിടെ അംഗീകരിക്കുന്നതുതന്നെ രോഗകാരണമായിത്തീരും. "രാഗാദിരോഗാൻ" എന്നു വാഗ്ഭടാചാര്യർ തന്നെ പറയുന്നു. വികാരത്തെ ഇളക്കുന്നതും ചിന്തയെ ഉദ്ദീപിപ്പിക്കുന്നതും ചിത്തത്തെ വ്യാകുലപ്പെടുത്തുന്നതും ആയ എല്ലാ രീതികളും രോഗത്തെ ഉണ്ടാക്കുന്നു എന്നാണ് പ്രമാണം. അതുകൊണ്ട് ഇത്തരം വികാരജന്യങ്ങളായ സിസ്റ്റങ്ങളൊന്നും നല്ലതല്ല. ഇങ്ങനെ സിസ്റ്റങ്ങൾ തമ്മിൽ മത്സരം ഉണ്ടാകാതിരിക്കുന്നതിനും ഒരു സിസ്റ്റം മറെറാരു സിസ്റ്റത്തിൻെറ വളർച്ചയെ തടയാതിരിക്കുന്നതിനുംവേണ്ടി രണ്ടുപേരെക്കൂടി അസംബ്ളിയിൽനിന്നും കൗൺസിലിൽനിന്നും തെരഞ്ഞെടുത്ത് കമ്മിററിയിൽ നിയമിക്കുന്നത് നന്നായിരിക്കും. അലോപ്പതിക്കു ആയുർവ്വേദത്തെക്കാൾ സ്ഥാനക്കൂടുതൽ ഉണ്ടോ ഇല്ലയോ എന്നുള്ളത് നാം ഇവിടെ ചിന്തിക്കേണ്ടതില്ല. സാനിട്ടേഷൻ, മിഡ്‌വൈഫറി, സർജറി ഇവയെല്ലാം അലോപ്പതിക്കു മാത്രം ഉള്ളതിനാൽ സ്വയമേവ തന്നെ അലോപ്പതിക്കു ജനസാമാന്യത്തിനിടയിൽ ഒരു ഉന്നതസ്ഥാനമാണുള്ളത്. അത് ആയുടെ മുകളിൽ ഇരിക്കുകയാണ്. ഗവൺമെൻറിൻെറ ഉദാരമായ സഹായവും അതിനു ലഭിക്കുന്നുണ്ട്. അതുകൊണ്ട് ഈ കമ്മററിയിൽ അലോപ്പതിക്കാർക്കു പത്തു മെമ്പറെ ഉള്ള എന്നുള്ളതുകൊണ്ടു ഇതു വളരെ ഭയപ്പെടാൻ കാരണമൊന്നുമില്ല. വൻപിച്ച ശമ്പളവും ഗവൺമെൻറിൽനിന്നു വേണ്ട ആനുകൂല്യവും കിട്ടുന്ന അലോപ്പതി ഡാക്ടന്മാർക്കു ഒന്നുകൊണ്ടും ഭയപ്പെടാനില്ല. എന്നാൽ ആയുർവേദത്തിൻെറ നില അതല്ല. ആയുർവേദം ഇനിയും വികസിച്ചിട്ടില്ലെന്നു ഇവിടെ ചിലർ ആക്ഷേപിക്കുന്നതായി ഞാൻ കേട്ടു. ആയുർവേദം സാമാന്യജനങ്ങൾക്കു ഏററവും അനുഗ്രഹപ്രദമായ ഒരു ചികിത്സാസമ്പ്രദായംതന്നെയാണ്. വേണ്ടവിധം ഈ സിസ്റ്റത്തെയും ഗവൺമെൻറു പ്രോത്സാഹിപ്പിച്ചാൽ അലോപ്പതിയെക്കാൾ ഒട്ടും കുറഞ്ഞ ഒരു നില ആയുർവേദത്തിനു ഉണ്ടാകയില്ല. ജനങ്ങൾ അർപ്പിക്കുന്ന വിശ്വാസമാണ് ഓരോ സിസ്റ്റത്തിൻെറയും ഔന്നത്യത്തെ സംജാതമാക്കുന്നത്. ഭൂരിപക്ഷഭൂരിസുഖം നോക്കുന്നപക്ഷം ഇന്നു ആയുർവേദത്തിനുള്ള സ്ഥാനം അലോപ്പതിക്കു കൊടുക്കുവാൻ നിവൃത്തിയില്ല. വളരെ പണം ചെല

[Mr. Thariathu Kunjithommen.]

വാക്കി ബുദ്ധിമുട്ടി വലിയ പരീക്ഷകളും പാസ്സായിവന്നിരിക്കുന്ന അലോപ്പതി ഡാക്ടർമാരെ വലിയ ശമ്പളങ്ങളും മററുംകൊടുത്തു് പ്രോത്സാഹിപ്പിക്കുന്നതു് നല്ലതാണു്. എന്നാൽ അവർ സാമാന്യജനങ്ങളെ സമീപിച്ചു് ചികിത്സ നടത്തുന്നതു് തുലോം കുറവാണു്. അതിനുള്ള പരിതഃസ്ഥിതിയും അവക്കില്ല. സാധാരണക്കാർക്കു് നാലഞ്ചു മൈൽ ദൂരം നടന്നു ആശുപത്രിയെ ആശ്രയംപ്രാപിക്കുന്നതിനുള്ള സൗകര്യംതന്നെ ഉണ്ടാകുകയില്ല. ഡാക്ടന്മാക്കാണെങ്കിൽ ഇത്രയും ദൂരം സഞ്ചരിച്ചു് ഒരു രോഗിയെ കണ്ടു് ചികിത്സ നടത്തണമെങ്കിൽ കുറഞ്ഞതു പത്തുരൂപാ എങ്കിലും കൊടുക്കണം. നേരെമറിച്ചു് നാട്ടിൻപുറത്തുള്ള ഒരു വൈദ്യനെ കണ്ടാൽ കേവലം നാലോ അഞ്ചോ ചക്രത്തിനുള്ള മരുന്നുവാങ്ങിച്ചു ചികിത്സനടത്താൻ സൗകര്യമുണ്ടു്. ചിലപ്പോൾ ഒരു കാശും ചെലവില്ലാതെയും ആയുവേദവിധിപ്രകാരം ചികിത്സ നടത്താവുന്നതാണു. കുറുംതോട്ടിയോ, അമൃതോ ഇങ്ങനെയുള്ള മറേറതെങ്കിലും പച്ചമരുന്നുകളോ മാത്രംകൊണ്ടും ചികിത്സ നടത്താം. അതുകൊണ്ടു് സാമാന്യജനങ്ങളെ സംബന്ധിച്ചു് ആയുർവ്വേദചികിത്സ വിലയേറിയ ഒരനുഗ്രഹംതന്നെയാണു്. സിദ്ധവൈദ്യത്തെപ്പററിയും ഇവിടെ ചിലർ പറയുകയുണ്ടായി. സിദ്ധവൈദ്യത്തെയും പ്രോത്സാഹിപ്പിക്കേണ്ടതാണെന്നാണു് എൻെറ അഭിപ്രായം. ആയുർവേദത്തിൻെറ ഒരു ശാഖയായിട്ടു വേണം സിദ്ധവൈദ്യത്തെ കരുതുവാൻ. പ്രകൃതിയിൽനിന്നും ലഭിക്കുന്ന ധാതുക്കളുടെയും വൃക്ഷലതാദികളുടെയും മൂലികകൾ ഉപയോഗിച്ചു് എല്ലാ രോഗത്തെയും ഭേദപ്പെടുത്താൻ കഴിയുമെന്നാണു് അഷ്ടാംഗഹൃദയത്തിൽ വിധിക്കുന്നതു്. വൃക്ഷലതാദികളുടെ മൂലികകൾ മാത്രംകൊണ്ടു് അവകൾ ധാരാളം കിട്ടുന്ന സ്ഥലത്തു് ചികിത്സ നടത്തണമെന്നും അതു കിട്ടുവാൻ വിഷമമുള്ള സ്ഥലങ്ങളിൽ ധാതുദ്രവ്യങ്ങളുടെ മൂലികകൾ ഉപയോഗിച്ചു് ചികിത്സ നടത്തണമെന്നും അതിൽ പറയുന്നു. ധാതുദ്രവ്യങ്ങളുടെ മൂലികകൾ ഉപയോഗിച്ചു ചികിത്സിക്കുന്ന സമ്പ്രദായമാണല്ലോ സിദ്ധവൈദ്യം. വടക്കെ ഇൻഡ്യയിൽ വേറെ ചില സമ്പ്രദായങ്ങളുമുണ്ടു്. അതെങ്ങിനെയെങ്കിലുമിരിക്കട്ടെ. അതുകൊണ്ടു് സിദ്ധവൈദ്യന്മാരെയും അവഗണിക്കണമെന്നു് എനിക്കു അഭിപ്രായമില്ല. പക്ഷെ ഓരോ സിസ്റ്റത്തിലുള്ളവർക്കും പ്രത്യേകം പ്രത്യേകം കൂടുതൽ കുറവനുസരിച്ചു കമ്മിററിയിൽ പ്രാതിനിധ്യം വേണമെന്നു പറയുന്നതും ശരിയല്ല. ഗവമ്മെൻറിൻെറ പ്രത്യേകം സഹായവും പ്രോത്സാഹനവും കിട്ടിക്കൊ

ങ്ങിരിക്കുന്ന അലോപ്പതിക്കാർക്കു കമ്മിററിയിലുള്ള സ്ഥാനം നാലായാലും ആറായാലും തരക്കേടില്ല, അവർ ഞാൻ മുൻപു പറഞ്ഞതുപോലെ ആനപ്പുറത്തിരിക്കുന്നവരാണ്. അവരുടെ താഴെ ഇരിക്കുന്നവരാണ് മററുള്ളവർ. അവരെയാണ് കൂടുതലായി പരിഗണിക്കേണ്ടതു്. ആയുർവേദത്തെയോ അതുപോലെയുള്ള മററു സിസ്റ്റങ്ങളെയോ ഉയർത്തിക്കൊണ്ടു വരേണ്ടതും ഗവൺമെൻറിൻെറയും ജനങ്ങളുടെയും കടമയാണ്. ആയുർവേദ മരുന്നുകൾക്ക് ഒരു പ്രത്യേക ഗുണമുണ്ടു. രൂപരസഗന്ധങ്ങളെ അതിക്രമിച്ചാണ് അവയുടെ വ്യാപ്തിയിരിക്കുന്നതു്. അതു് ഒരു ദോഷവും ചെയ്യുകയില്ല. ഗുണം ചെയ്യുവാൻ വളരെ കഴിവുണ്ടുതാനും. ഇങ്ങനെയുള്ള സിസ്റ്റങ്ങളെ അധികമൊന്നും നിയന്ത്രണത്തിനധീനമാക്കാതെ കേവലം സ്വതന്ത്രമായ നിലയിൽ ചികിത്സ നടത്തുന്നതിനുള്ള ഏർപ്പാടുകൾ ചെയ്തുകൊടുക്കുന്നതാണ് നല്ലതെന്നു് എനിക്കു തോന്നുന്നു. അതുകൊണ്ടു ഒരുപക്ഷെ ഒന്നോ രണ്ടോ സീററുകൾ അലോപ്പതിക്കാർക്കു കുറഞ്ഞുപോയാലും തരക്കേടില്ല. എല്ലാ പദ്ധതിക്കാരുംകൂടി യോജിച്ചും എല്ലാവരെയും ഉൾപ്പെടുത്തിയും ഒരു കൌൺസിൽ രൂപീകരിക്കേണ്ടതാണെന്നുള്ള ഉൽബോധനത്തോടുകൂടി ഞാൻ ഈ ഭേദഗതിയെ അനുകൂലിക്കുന്നു.

MR. K. DUMINIC JOSEPH: Sir, I support the amendment of Mr. Govindan. The amendment, as has been stated, relates to the composition of the Council and in the Bill as reported by the Select Committee we find that a majority has been converted into a minority. That is a matter which must give concern naturally to the Allopathic doctors and also to the general public. By saying this I do not mean any disparagement to the other systems of medicine. Allopathy has improved very considerably by scientific discoveries. The same cannot be said of other systems. It is true that Ayurveda has a very hoary tradition and has established itself to a very great extent in this country. The honourable member Mr. Sivathanu Pillai was saying that the *Sidha* Vaidyans were working wonders in South Travancore. But, as it is, the same thing cannot be said of them with regard to Central or North Travancore for the simple reason that, they are unknown entities there. Allopathy has got a world-wide existence. It has won international fame and international recognition. It has, by scientific discoveries developed to such an extent that in the field of human ailment it has become the greatest factor for relief and cure. It has developed the system of public health and preventive system of medicines. It has developed the system of radiology, surgery and midwifery which are all foreign to other systems. Therefore, it is natural that the predominant voice should be given Allopathy in the Medical Council. The question is as to who should be given the deciding voice in the matter of medical profession; whether it should be granted to

[Mr. K. Dominic Joseph.]

an organised, educated, qualified body or not. There is no dis respect to other systems when I say that it is only natural and appropriate that the interest of the various systems will be more adequately safeguarded if it is controlled by the Allopaths.

Again, it is only pertinent to enquire what are the functions of the Medical Council. The Medical Council is charged with very onerous and responsible duties. It has to maintain a register of qualified practitioners who alone have the right to practise. It has got the power to exercise supervision over the practitioners and also power of superintendence over institutions which confer degrees and diplomas. It has got the power to advise the Government on its own initiative or at the instance of the Government on matters relating to medicine and practice. It has got the function to publish a Pharmo copea, to prescribe and conduct examinations, etc., and various other matters. Further it will be seen that the Bill provides that all questions should be decided by a majority in the Council. It may be asked whether these functions can be safely entrusted to a body majority of whose members are unqualified and uneducated. The domestic matters of each system, as has been said by the Chair, is entrusted to the Committees of those systems. So there can be no reasonable apprehension for them that they will be swallowed up by the major system. Therefore, my submission is, that in the interest of medical profession, it is but right that the controlling agency should be the Allopathic Doctors.

VAIDASASTRANIPUNA DR. L. A. RAVI VARMA: It is quite true that the Allopathic system is an extremely organised system. But on that very same ground if the other system, the Ayurveda or any other system indigenous to India, is to go back to its original status, it is essential that special support is given to that system. Otherwise they will not have a chance to go beyond its present condition and it is not on account of any apprehension. I am not going to speak about the merits of these systems. We have now, for example, the British Medical Council, to go back. Any method of medicine may be taught in any College or any Degree given according to any authority and it would be accepted by the Medical Council. If it goes against the interest of any system, the Privy Council has got the power to control that system. Section 23 of the British Medical Act speaks about it. It must be remembered that in the British Medical Council it is not compulsory that they should all be Medical men. Out of the total members only 14 are necessarily to be Medical men. Of the total number, 5 are appointed by His Majesty and 17 by Universities and there need not be professionally qualified. Therefore, if there can be an association where you have 22 people to represent the people at large and only 14 to keep the professional part of the business going, we can understand the purpose.

Two people are to be elected by the allopathic practitioners. Certainly these two people can not go counter to the allopathic system; in which case there will be 11 for allopaths always. Really speaking

under Ayurveda you may include Siddha because practically both are the same but not Unani or Homoeo, for maintaining a common cause. At any rate the total number of Unanis in the State is very small. Therefore I do not see any reason why the present numbers should be changed at all. The Dentist and the Homoeopath are each given one member and these two, from natural affinity, are always likely to side with the Allopaths. If the House considers that number is not enough, they may increase it but the Ayurvedic seats ought not to be reduced. There is no objection for the inclusion of one member from the Council and one member from the Assembly.

MR. P. KUNJUKRISHNAN (*Quilon* cum *Kottarakara*): In opposing it I submit that the provision as revised by the Select Committee may be maintained. In the original Bill the provision was 17 members for the Council. Of these, nine were Allopathic, four Ayurvedic physicians, one Sidha, one Homoeopathy, one Unani and one Dentist. The Select Committee decided to alter it to 21 and that is what we have at present. Now, Sir, it is after due deliberation and after giving due consideration of the pros and cons of the whole question that the Select Committee have come to the conclusion that the number should be 21 and in doing so my submission is that there is absolutely no room for fear for the Allopaths in respect of the Clause as revised by the Select Committee. Now as revised by the Select Committee there are ten Allopaths *i. e.*, nine Allopaths and one Dentist. We have 2 Homoeopathy members also in this Council *i. e.*, 10+2=12. Thus practically we have 12 Allopathic members in this Council. Then as regards the other systems there are six Ayurveda, one Unani and two Siddha. These three systems constitute nine members. My submission is that there is no fear at all if the number of representatives of the indigenous systems of medicine is increased. In fact it is the Allopathic system having 10 members and 2 Homoeopathy members that constitute a clear majority in this council and the apprehension that the Allopathy is a minority is unfounded. In this connection we have to view the whole question from a very broad outlook.

MR. K. G. GOVINDAN: Am I to understand that Homoeopathy is a branch of Allopathy?

MR. P. KUNJUKRISHNAN: What I meant was that it is a western development.

We learn from the Bill that there will be several sub-committees of the Council and to each sub-committee the official pertaining to that particular system will be co-opted. But there is the Council over all these. The function of the Council is to control the whole medical field in the State. The duties of the council are enumerated in Section 20 and it reads:—

"It shall be competent for the Council to advise Our Government on its own initiative or at the instance of Our Government on all matters relating to medical work and practice, including both preventive and curative forms by or under any system, recognised or otherwise."

[Mr. P. Kunjukrishnan.]

And also Section 17 reads :—

"The Council shall have power to appoint an Executive Committee and other Committees from among its members, of which the quorum shall not be less than three, and to delegate to such committees such of the powers and duties vested in the Council as the Council may see fit, other than those provided by Sections 18 and 20."

So my submission is that there is a council with very extraordinary powers to guide and control medical work and practice in the State. If the question is taken in that light and if it is considered there must be a clear majority for the Allopathic system which will guide the whole medical institutions of the State by the Allopathic system and Allopathic practitioners alone. This is not the occasion to go into the merits or demerits of the others. It is for the experts to deal with. The real question is whether Ayurveda and other indigenous systems can be left entirely at the mercy of other systems. That is the position. Now, Sir, Ayurveda for example has come to stay in the land due to the benign policy adopted by the Government and due to the policy adopted by the Sovereign. Sir, very large masses of people resort to Ayurvedic system of treatment and we know that from the highest to the lowest people have great faith in this system of medicine. So also some Allopathic doctors have great faith in the system. I know many great doctors have been treated by that system.

SADASYATILAKA T. K. VELU PILLAI May I know the total number of patients treated by Ayurveda, Siddha and Unani systems in 1117?

MR. P. KUNJUKRISHNAN: We have the number that has been supplied by the Department. But apart from that there are many patients treated by the Grant-in-aid Vaidyans and other private practitioners.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I inform the honourable member that the number of persons treated is 25,822.

MR. P KUNJUKRISHNAN: I was referring to the fact that since we have not accurate statistics of patients treated by private Ayurvedic Doctors, we are not now in possession of the correct number.

SADASYATILAKA T. K. VELU PILLAI: I rise to a point of order. The point of order is that when information is published by Government in authoritative books whether it is in order to put that question.

PRESIDENT: The question, to my mind, more important than the statistics published by Government is the question of hours, minutes and seconds available to us At the rate at which we are going on we shall not today get beyond Clause 3. I have no power, in regard to the legislative business, to prescribe a time limit. It is open to the House to impose a self denying ordinance on itself, that each member will have five minutes time or seven minutes time. Unless some such limitation is established spontaneously by the House I have no right to impose a time limit.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : I would suggest that some time-limit,-say, 5 minutes - must be imposed.

The question that a time limit of five minutes be fixed for each member was put and carried.

MR. P. KUNJUKRISHNAN : The whole question is that Homoeopathy can be left in the hands of Allopathy. Of course, there may be rare exceptions, and then the whole thing is based on the so-called sympathy of superiority.

There is no guarantee that the allopaths will not hinder and retard the progress of other systems.

Then the next point is that Ayurveda and other indigenous systems require scientific help for their development and therefore it is better that allopathy is given the choice to help Ayurveda. In this respect we have to take into consideration the peculiar nature and development of the Ayurveda system. We know that it has its own peculiarities and historic development. Unless Government helps the Ayurveda system, we cannot expect reasonable and useful developments on scientific lines. My submission is that unless allopaths are possessed of very great erudition and knowledge and practical experience in Ayurveda, they cannot be entrusted with the powers of improving Ayurveda. (*President's bell.*)

SADASYATILAKA T. K. VELU PILLAI : Sir, I am very glad that it is my proud privilege to be the first to take advantage of the self-denying ordinance as regards time. I consider it more a right than a liability. I wish to refer only to two or three aspects of the question before the House. I for one am not going to ask any prescription or swallow anything if prescribed by a doctor who has not had training in any system of medicine. The means of approach should be different. I shall state my meaning in another form. Frederic Pollock and Dicey were eminent lawyers. But if they go to argue cases that will be a failure. Macaulay drafted the Penal Code but he never practised law. So, in considering the question of the choice of the council it is not professional eminence alone in that system or this system which should count. We want men of affairs, men who know the conditions of the world, men who have a position in society, men to whom the world will attach some value. Those people will be able to acquit themselves in such places. That being the test, I have no apprehension at all that any system will suffer. Much has been said about the comparative merits of the systems. That is not in my province. If the Allopathic system deserves commendation, it is this : that during so many centuries the Allopathic doctors have taken time by the forelock and taken advantage of the drugs found in all parts of the world. They have taken drugs found in the Ayurveda system. If they find there is anything good, they will adopt it. With these words I oppose the motion.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: സർ, ഇപ്പോഴത്തെ ഈ വാദം എന്തോ ചില തെററിദ്ധാരണകളെ ആസ്പദമാക്കി പ്രയോഗിക്കുന്നു എന്നാണ് എനിക്കു ആദ്യമായി പ്രസ്താവിക്കാനുള്ളതു്. ഒരു കാര്യം ഈ അവസരത്തിൽ വ്യക്തമാക്കണമെന്നു ഞാൻ വിചാരിക്കുന്നു. ആയുർവേദം, മലയാളം, സംസ്കൃതം മുതലായവയ്ക്കു ഗവൺമെൻറു സദയം കഴിയുന്നത്ര പ്രോത്സാഹനവും അവയെ പരിപുഷ്ടമാക്കുന്നതിനുവേണ്ട സഹായവും നൽകണമെന്നുള്ള വാദത്തോടു ഞാൻ പരിപൂർണ്ണമായി യോജിക്കുന്നു. ഈ ഭേദഗതിയെ സംബന്ധിച്ച് എനിക്കു പറയാനുള്ളതു്, ഇതിനെ സംബന്ധിച്ച് ആലോചിക്കുന്ന അവസരത്തിൽ നമ്മുടെ സർവ്വപ്രധാനമായ പരിഗണനയ്ക്കു വിഷയീഭവിക്കേണ്ട സംഗതികൾ വിവിധങ്ങളായ ചികിത്സാസമ്പ്രദായങ്ങൾക്കു പൂർവ്വീകകാലം മുതൽ നാളിതുവരെ, സിദ്ധിച്ചിട്ടുള്ള അംഗീകൃതവും ശാസ്ത്രീയവുമായ വികസനം, അതിനുള്ള സുസ്ഥിരമായ സ്ഥാനം, അതിൻെറ ക്രമപ്രവൃദ്ധമായ വളർച്ച. ജനസാമാന്യവും ഗവൺമെൻറും അതിനു നൽകിയിട്ടുള്ള പ്രാധാന്യം, അന്യപരിഷ്കൃതരാജ്യങ്ങളും ഗവൺമെൻറും നൽകിയിട്ടുള്ള പ്രാധാന്യം ഇവകളാണ്. ഇവകളെ അടിസ്ഥാനപ്പെടുത്തി നോക്കുമ്പോൾ ജനങ്ങളും ഗവൺമെൻറും എന്തു സ്ഥാനമാണ് ഈ വിധ ചികിത്സാ സമ്പ്രദായങ്ങൾക്കു നൽകിയിട്ടുള്ളതെന്നു സൂക്ഷ്മമായി ഗ്രഹിക്കുന്നതിനു അനിഷേദ്ധ്യമായ തെളിവുകൾ സുലഭങ്ങളാണ്. ഗവൺമെൻറിൽനിന്നും പ്രതിവർഷം മെഡിക്കൽ — പബ്ലിക്ക് ഹെൽത്ത് ഈ വകുപ്പുകളിലേയ്ക്കു ൧൦,൩൩,൭൦൦ രൂപയും, ആയുർവേദത്തിന് ൧,൩൬,൪൯൮ രൂപയും നൽകുന്നുണ്ടെന്നു അടുത്ത വർഷത്തെ ബഡ്ജററ് സാക്ഷ്യം വഹിക്കുന്നു. ഈ വിവിധസമ്പ്രദായങ്ങളനുസരിച്ചു രോഗശമനത്തിന് തിരുവിതാംകൂറിൽ നൽകുന്ന സഹായം എന്താണെന്നു നോക്കുന്നപക്ഷം അലോപ്പതി സമ്പ്രദായപ്രകാരം ൧൧൧൬-ൽ ൨,൪൦,൭൧൩ ആളുകളെ ചികിത്സിച്ചിട്ടുണ്ടെന്നും ആയുർവേദം, സിദ്ധ, യുനാനി എന്നീ സമ്പ്രദായങ്ങളിൽ എല്ലാംകൂടി ചികിത്സിച്ചിട്ടുള്ള മൊത്തംസംഖ്യ ൬,൪൭,൯൪൨ മാത്രമാണെന്നും കാണുന്നു.

MR. P. KUNJUKRISHNAN: കൂടുതൽ സഹായധനം കിട്ടിട്ടുള്ളതെന്തു കൊണ്ടാണെന്നറിയാമോ?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: എന്തു കാരണവശാൽ കൂടുതൽ സഹായധനം കിട്ടി എന്നുള്ളതു് വാദവിഷയമല്ല.

MR. TARIATU KUNJITCMMAN: ആയുർവേദ വൈദ്യപ്രകാരം ചികിത്സിച്ചിട്ടുള്ളവരുടെ ശരിയായ കണക്കെടുത്താൽ ഇതിനേക്കാൾ അധികം മടങ്ങ് ഉണ്ടെന്നു് അറിയാമോ?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: കിട്ടിട്ടുള്ള കണക്കുകളെ ആസ്പദമാക്കിയാണ് പ്രമാണം കൊണ്ടുപോകേണ്ടതു്. സങ്കല്പങ്ങൾ നമ്മെ അപഥത്തിലേയ്ക്കു നയിച്ചേക്കാം.

MR. P. KUNJUKRISHNAN: ആയുർവേദ ഡിപ്പാർട്ടുമെൻറു മുഖാന്തിരമല്ലാതെ ചികിൽസിച്ചിട്ടുള്ള രോഗികളുടെ കണക്ക് അറിയാമോ?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: കണക്കുകൾ കിട്ടാൻ പ്രയാസമാണ്. ഇനിയും പരിഷ്കൃതരാജ്യങ്ങളും ഗവമ്മെൻറുകളും അലോപ്പതിക്കും മററു ചികിത്സാ സമ്പ്രദായങ്ങൾക്കും യഥാക്രമം നൽകിവരുന്ന സ്ഥാനത്തേയും പദവിയേയും സംബന്ധിച്ചു ചിന്തിച്ചുനോക്കാം. വിവിധരാജ്യങ്ങളിൽ സാംക്രമികരോഗങ്ങൾ ഉണ്ടാകുന്നുണ്ടു്. യുദ്ധസംബന്ധമായ സേവനങ്ങൾ ആവശ്യപ്പെടുന്നുണ്ടു്. ഈ സാംക്രമികരോഗങ്ങളുടെ നിവാരണം സംബന്ധിച്ചോ യുദ്ധസേവനം സംബന്ധിച്ചോ അലോപ്പതിയൊഴിച്ചുള്ള ചികിത്സാ സമ്പ്രദായക്കാരുടെ സേവനം ഒരു രാജ്യക്കാരും ഇതുവരെ ആവശ്യപ്പെട്ടിട്ടുള്ളതായി അറിവില്ല. സർ, ഇപ്പോഴുംതന്നെ യുദ്ധസേവനത്തിനായി ധാരാളം ഡാക്ടർമാർ വിദേശങ്ങളിലേയ്ക്കു പോകുന്നുണ്ടു്. എന്നാൽ ഈ മഹത്സേവനത്തിനായി ഇതേവരെ ഒരു ഹോമിയോപ്പതി ഡാക്ടരേയോ ആയുർവേദ വൈദ്യനേയോ എടുത്തിട്ടുള്ളതായി കാണുന്നില്ല. രണ്ടാമതായി എനിക്കു പ്രസ്താവിക്കുവാനുള്ളതു് ഈ ബില്ലിൻെറ ൨൦-ാം വകുപ്പുപ്രകാരം ഒരു ചികിത്സാ സമ്പ്രദായക്കാരൻ മറെറാരു ചികിത്സാ സമ്പ്രദായക്കാരൻെറമേൽ യാതൊരു അധികാരവും ചെലുത്താൻ മാർഗ്ഗം കാണുന്നില്ല. അതിൽ പ്രധാനമായ ചുമതലകളാണു് വിവരിച്ചുകാണുന്നതു്. ഒന്നാമതായി രജിസ്ട്രേഷൻ, രണ്ടാമതായി ആവശ്യംവേണ്ട വ്യവസ്ഥകൾ ഗവമ്മെൻറിൻെറ അംഗീകരണത്തോടുകൂടി രൂപവൽക്കരിക്കുക, ഇവകളാണ്. ചികിത്സാസമ്പ്രദായത്തെക്കുറിച്ചു് യാതൊരു അധികാരവും ഇതിൽ ചെലുത്തുന്നില്ല. വല്ല അഭിപ്രായവ്യത്യാസമോ തെററിദ്ധാരണകളോ സംശയങ്ങളോ വ്യവസ്ഥകളുടെ രൂപവൽക്കരണം സംബന്ധിച്ചു് ഉണ്ടാകാതിരിക്കുന്നതിനുവേണ്ടി ഗവമ്മെൻറു വളരെ സൂക്ഷ്മദൃഷ്ടിയോടുകൂടി ലീഗൽ റിമെംബ്രൻസറേയും രജിസ്ട്രാരേയും ഇതിൻെറ കമ്മററിയിലെ മെമ്പരന്മാരായി ആക്ററനുസരിച്ചുതന്നെ നിയമിച്ചു കഴിഞ്ഞിരിക്കുന്നു. വിവിധ ചികിത്സാ സമ്പ്രദായങ്ങൾ ഉണ്ടെങ്കിൽത്തന്നെയും മെഡിക്കൽ കൌൺസിലിൽ ഓരോ സബ്കമ്മററികൾ രൂപീകരിച്ചു് ആ സബ്കമ്മററിയിൽ ഓരോ ചികിത്സാ സമ്പ്രദായത്തെ സംബന്ധിച്ചും ആലോചന

[Mr. Puliyoor T. P. Velayudhan Pillai]

നടത്താനുള്ള സൌകര്യങ്ങൾ ബില്ൽ പ്രദാനംചെയ്യുന്നുണ്ട്. ഇതിൽ യാതൊരു ദോഷവും വരാനില്ല. മി: ഗോവിന്ദന്റെ അഭിപ്രായത്തോടുകൂടി ഞാൻ യോജിക്കുന്നു.

MR. K. R. NARAYANAN (*Vaikom* cum *Kottayam*) : സർ, ഞാൻ ബഹുമാനപ്പെട്ട മെംബർ മി. ഗോവിന്ദന്റെ ഭേദഗതിയെ അനുകൂലിക്കുന്നു. ആയുർവേദത്തിനോട് അവജ്ഞയോ സിദ്ധവൈദ്യത്തിനോടു വെറുപ്പോ എനിക്കില്ല. എന്റെ ബഹുമാന്യ സ്നേഹിതൻ ഡാക്ടർ എൽ. ഏ. രവിവർമ്മ പ്രസ്താവിക്കയുണ്ടായി—ഹോമിയോ, മന്ത്രവൈദ്യം, ആയുർവേദം മുതലായവ അലോപ്പതിയുടെ ഒരു ശാഖയാണെന്ന്. അതിന്റെ ഓരോ വാദമുഖങ്ങളെയുംപറ്റി ഞാൻ വിശകലനം ചെയ്യുന്നില്ല. മി. കുഞ്ഞുകൃഷ്ണൻ പ്രസ്താവിച്ച വാദം വളരെ വിചിത്രമായിരിക്കുന്നു. ഇവയെല്ലാം ഒന്നാണെന്ന് സ്ഥാപിക്കുവാൻ മി. കുഞ്ഞുകൃഷ്ണൻ കാണുന്ന ന്യായം എല്ലാം പാശ്ചാത്യമാണെന്നുള്ളതാണ്. അങ്ങനെയാണെങ്കിൽ ഇററലി, ജർമ്മനി, ഫ്രാൻസ്, ഇംഗ്ലണ്ട് ഈ രാജ്യക്കാരെല്ലാം പാശ്ചാത്യരല്ലേ. പിന്നെ എന്തുകൊണ്ടാണ് ഇവർ കീരിയും പാമ്പും പോലെ കഴിയുന്നത്. മി. കുഞ്ഞുകൃഷ്ണന്റെ ന്യായത്തെ അടിസ്ഥാനപ്പെടുത്തിനോക്കിയാൽ വനത്തിലുള്ള കടുവായ്ക്കും കരടിയ്ക്കും തമ്മിൽ വ്യത്യാസമുണ്ടോ ? മേൽ പറഞ്ഞവ ഒന്നാണെന്ന് സ്ഥാപിച്ച് രണ്ടിന്റെയും നമ്പർ ഒന്നായി കാണുന്നത് സ്വാർത്ഥത കാണിക്കുവാനുള്ള ഒരു ഇന്ദ്രജാലം മാത്രമാണ്. എന്റേയും മി. കുഞ്ഞുകൃഷ്ണന്റേയും മററു പല മെംബറന്മാരുടേയും അടുക്കൽ ഹോമിയോപ്പതി, അലോപ്പതി, ആയുർവേദം ഈ വൈദ്യന്മാർ അർജ്ജുനന്റെ അമ്പുപോലെ പാഞ്ഞുവരുന്നതുകൊണ്ടുതന്നെ അറിയാം ഇതു് വിവിധ വർഗ്ഗങ്ങളിൽ കൂടിയുള്ള ഒന്നാണെന്ന്. ഇന്നലെ മെഡിക്കലിന്റേയും, ആയുർവേദത്തിന്റേയും ഡിമാൻറു വന്നപ്പോൾ, അവിടെ ആശുപത്രി വേണം, ഇവിടെ ആശുപത്രി വേണം എന്നും മററുമുള്ള വാദം പുറപ്പെടുവിക്കുകയുണ്ടായി ചുരുക്കിപ്പറഞ്ഞാൽ ആരും സഞ്ചാരമില്ലാത്ത പൊന്മുടിമേട്ടിൽ വേണമെന്നുള്ളതുവരേ എത്തി, ചങ്ങനാശേരിയിൽ നിന്നും വയ്ക്കത്തുനിന്നും, മററു പല ഭാഗങ്ങളിൽ നിന്നും, കമ്പികൾ ലഭിച്ചിരിക്കുന്നു കാളറാ മൂലം ആളുകൾ മരിക്കുന്നു, ഡാക്ടരുടെ സഹായം വേണം ചങ്ങനാശേരിയിൽ ഒരു മിഡ്വൈഫിനെ നിയമിക്കണം എന്നും മററും

പലതും പ്രസ്താവിക്കുകയുണ്ടായി. എന്നാൽ ആ കമ്മ്യിയിലെങ്ങും ഒരു ഹോമിയോ ഡാക്കുരേയോ ആയുർവേദ വൈദ്യനേയോ വേണമെന്ന് ആവശ്യപ്പെട്ടു കാണുന്നില്ല.

MR. A. K. KUMARAN VAIDYAN : അലോപ്പതി സമ്പ്രദായം ഈ നാട്ടിൽ വരുന്നതിനു മുമ്പ് എന്തു സംപ്രദായമാണ് ഈ നാട്ടിൽ ഉണ്ടായിരുന്നതെന്നറിയാമോ ?

MR. K. R. NARAYANAN : എനിക്കു ഈ ചോദ്യത്തിനുത്തരമായി എന്റെ സ്നേഹിതനോട് ചോദിക്കുവാനുള്ളത് മോട്ടാർകാർ വരുന്നതിന് മുമ്പ് നിങ്ങൾ എങ്ങിനെ നടന്നു എന്നാണ്.

മോട്ടാറും, ബോട്ടും, വിമാനവും വരുന്നതിനുമുമ്പു നമ്മൾ നടന്നിരുന്നു. നമ്മുടെ അച്ഛന്റെ മുത്തച്ഛന്റെ മുത്തച്ഛന്മാർ നടന്നിരുന്നുവെന്നു വിചാരിച്ച് നാമും നടക്കണമെന്നാണോ പറയുന്നത്. അങ്ങിനെയാണെങ്കിൽ മി. കുമാരൻവൈദ്യൻ വടക്കെക്കരമുതൽ തിരുവനന്തപുരംവരെ അടി അടി വച്ച് നടക്കേണ്ടിവരുമായിരുന്നു. ശാസ്ത്രീയമായി എനിക്കു വലിയ പരിജ്ഞാനമൊന്നുമില്ലാ. പ്രസവം ഏററവും പ്രധാനപ്പെട്ട ഒരു കാര്യമാണ്. അതുനിമിത്തം വരാവുന്ന അപകടവും, ആരോഗ്യഹാനിയും ചില്ലറയല്ല. എനിക്കറിയാവുന്ന പല ആയുർവേദവൈദ്യന്മാരോടും ചോദിച്ചതിൽ അവർ പറയുന്നത് വയററിൽ കിടക്കുന്ന കുട്ടിയുടെ തല മുകളിലേക്കാണെന്നാണ്. ആധുനിക ശാസ്ത്രജ്ഞന്മാരായ അലോപ്പതിക്കാരുടെ അഭിപ്രായം കുട്ടിയുടെ തല നേരെ കീഴ്പ്പോട്ടുതന്നെയാണെന്നാണ്. ഏററവും ഗൌരവമുള്ള, ഇക്കാര്യത്തിന്റെ മൂലസിദ്ധാന്തത്തിൽ തന്നെ ഈ വൈദ്യശാസ്ത്രങ്ങൾ ഭിന്നങ്ങളാകുന്നു. കാളറാ, മസൂരി ഈ രോഗങ്ങളെ സംബന്ധിച്ചും ഇപ്രകാരം ഭിന്നാഭിപ്രായങ്ങളാണ് ഉള്ളത്. തൽക്കാലം ഈ വക വിഷയങ്ങളിലേയ്ക്കു പോകുവാൻ അധികസമയമില്ല. എന്റെ അഭിപ്രായം ഖണ്ഡിതമായിട്ടുപറയാം. നിഷ്പക്ഷമായിട്ടു പറയാം. ഇത് അലോപ്പതിയുടെ രക്ഷയ്ക്കുവേണ്ടിയല്ലാ-എനിക്കു വളരെ ബഹുമാനമുള്ള എന്റെ മാന്യസ്നേഹിതൻ മി. കുഞ്ഞിത്തൊമ്മൻ തുടങ്ങിയവരുടെ അവഗാഢമായ ആലോചനയ്ക്കു, നിഷ്പക്ഷമായ ആലോചനയ്ക്കു, നിർദ്ദാക്ഷിണ്യമായ ആലോചനയ്ക്കുവേണ്ടി എനിക്കു പറയുവാനുള്ളത് ഇത് ആയുർവേദത്തിന്റെ വളർച്ചക്കുവേണ്ടിയാണെന്നാണ്. ചരകന്റെയും, വാഗ്ഭടന്റെയും മററും വൈദ്യശാസ്ത്രങ്ങളനുസരിച്ച് നാഡിയുടെ ഗതിനോക്കി ചങ്കിടിപ്പ് മനസ്സിലാക്കാം. രക്തധമനികളുടെ എണ്ണം നിശ്ചയിക്കാൻ കഴിയും. എന്നൊക്കെ പറയാ

[Mr. K. R. Narayanan]

മെങ്കിലും ശരീരശാസ്ത്രം ശരിയായി പഠിക്കണമെങ്കിൽ അലോപ്പതി കൂടാതെ സാധ്യമല്ലെന്നുള്ളകാര്യം നാലും മൂന്നും ഏഴ് എന്നപോലെ സുനിശ്ചിതമായ ഒരു സംഗതിയാണ്.

MR. A. K. KUMARAN VAIDYAN : സർ, ഞാൻ മി. കെ. ജി. ഗോവിന്ദൻ അവതരിപ്പിച്ച ഭേദഗതിയെ എതിർക്കുന്നു. അതായതു അന്ന് സെലക്റ്റുകമ്മിറ്റി സൂക്ഷ്മമായി വളരെ ശ്രദ്ധയോടുകൂടി ചിന്തിച്ചിട്ടാണ് ഈ മെമ്പറന്മാരുടെ എണ്ണം നിശ്ചയിച്ചതു്. എന്നാൽ ഇന്ന് അതിനെ മാററണമെന്ന് പറയുന്നതു് ശരിയാണെന്നു എനിക്കു തോന്നുന്നില്ല. മെഡിക്കൽ കൗൺസിലിലുള്ള അംഗങ്ങൾ ആയുർവേദ സംപ്രദായപ്രകാരമുള്ളവരായാലുംകൊള്ളാം, അലോപ്പതി സമ്പ്രദായപ്രകാരമുള്ളവരായാലുംകൊള്ളാം ഈ രണ്ടു കൂട്ടരും യോജിച്ചുപ്രവർത്തിക്കേണ്ടതാണ് അത്യാവശ്യമായിട്ടുള്ളതു്. അല്ലാതെ, ഓരോ വൈദ്യസാമ്പ്രദായങ്ങളെ മുൻനിറുത്തി ഓരോരുത്തരും അവരവർക്ക് അറിയാവുന്നതിനെമാത്രം പോഷിപ്പിക്കുവാൻ വിചാരിക്കുന്നതു് ഒരിക്കലും നന്നല്ലാ. എന്റെ ബഹുമാന്യസ്നേഹിതൻ മി. കെ ആർ. നാരായണൻ പറയുന്നതു്, വിമാനങ്ങൾപോലെ ഇംഗ്ലീഷുവൈദ്യം വന്നപ്പോൾ ആയുർവേദം വളരെ അധഃപതിച്ചുപോയിയെന്നും, അലോപ്പതിസംപ്രദായം മുന്നോട്ടു വന്നിരിക്കുന്നുവെന്നുമാണ്. എന്നാൽ ബഹുമാനപ്പെട്ട ഗവൺമെന്റു ഈ അടുത്ത കാലത്തുമാത്രമാണു ആയുർവേദത്തെ പ്രോത്സാഹിപ്പിക്കാൻ തുടങ്ങിയതു്. ഞാൻ പറയുന്നതുകൊണ്ടു ഈ അലോപ്പതി സാമ്പ്രദായത്തെ ആക്ഷേപിക്കുകയല്ലാ ചെയ്യുന്നതു്. ഓരോ ഭരണാധികാരികളുടേയും കാലത്തു് ഓരോ വിഷയങ്ങളെ സംബന്ധിച്ച് കൂടുതൽ കൂടുതൽ പ്രോത്സാഹനം നൽകിവരുന്നുണ്ടെന്നുള്ള സംഗതി ഞാൻ വിസ്മരിക്കുന്നില്ല. ചരകൻ, സുശ്രുതൻ, വാക്ഭടൻ തുടങ്ങിയ ഋഷിഗചരന്മാരുടെ വൈദ്യശാസ്ത്രപ്രകാരമുള്ള ശരീരശാസ്ത്രം എന്റെ സ്നേഹിതൻ ഒന്നു വായിച്ചിരുന്നുവെങ്കിൽ ഈ വിധത്തിലുള്ള അഭിപ്രായങ്ങൾ പുറപ്പെടുവിക്കയില്ലായിരുന്നു. ഇന്നത്തെ പാശ്ചാത്യവൈദ്യസംപ്രദായം വരുന്നതിന് മുമ്പുതന്നെയാണ് വെള്ളത്തിൽ കൂടിയും അണുക്കൾ വഴിയായും രോഗങ്ങൾ പകരുമെന്നു കണ്ടുപിടിച്ചിട്ടുള്ളതു; അതുതന്നെയാതൊരു ദൂരദർശിനിയുംകൂടാതെയാണ് പിന്നെ ആയുർവേദത്തിന് ഒരാക്ഷേപം പുറപ്പെടുവിച്ചതു് നാഡി പിടിച്ചുനോക്കിയാൽ കാര്യങ്ങളൊന്നും അറിയാൻ പാടില്ലെന്നാണ്. അതിലേയ്ക്കു ഞാൻ ഒരു ഉദാഹരണം പറയാം.

പബ്ലിക്കസർവീസുകമ്മീഷണർ മി. യ്യർ അവർകൾ മഹാരാജാവു തിരുമനസ്സിലെ ട്യൂട്ടർ ആയിരുന്ന കാലത്തു് അദ്ദേഹത്തോടുകൂടി കുറച്ചുകാലം ഇവിടെ താമസിച്ചിരുന്ന ഒരു അമേരിക്കൻ സായ്പിന്റെ ഉണ്ടായിരുന്ന സുഖക്കേടു് ഈ അലോപ്പതി ചികിത്സകൊണ്ടു ഭേദപ്പെടാതെ വന്നപ്പോൾ, ഇവിടെ അടുത്തു താമസിക്കുന്ന മി. കൃഷ്ണ അയ്യർ ആ സായിപ്പിന്റെ നാഡി പരിശോധിച്ചിട്ടു് ഫർ നേരം സേവിക്കുന്നതിനായി ഒരു മരുന്നുകൊടുത്തു. ദീനം വിവരം ഒന്നും ചോദിക്കാതെയാണു് മരുന്നു കൊടുത്തതു് എന്നുള്ളതും പ്രസ്താവ്യമാണു്. ആ മരുന്നു സേവിച്ചു് അദ്ദേഹത്തിനു പൂർണ്ണസുഖം കിട്ടുകയും അദ്ദേഹം അമേരിക്കയിൽ ചെന്ന ശേഷം ആയുർവേദ ചികിത്സയുടെ മാഹാത്മ്യത്തെ വിവരിച്ചു ഒരു സർട്ടിഫിക്കറ്റു അയച്ചുകൊടുക്കുകയും ചെയ്തതായി എനിക്കറിയാം. അതുപോലെതന്നെ, അമേരിക്കയിലെ ഓഹിയോ സർവകലാശാലയിൽ രസതന്ത്രശാസ്ത്രജ്ഞനായ മി. വില്യം ബ്രൌൺ എം. ഡി. കൽക്കട്ടയിൽ നിന്നും പുറപ്പെടുന്ന മാഡേൺ റവ്യൂ എന്ന മാസികയിൽ എഴുതിയിരുന്ന ഒരു ലേഖനത്തിന്റെ തർജ്ജിമ ഞാൻ വായിക്കുകയുണ്ടായി. അതിൽ അദ്ദേഹം പറഞ്ഞിരിക്കുന്നതു് ആയുർവേദത്തിനു യാതൊരു തെററും അദ്ദേഹം കണ്ടുപിടിച്ചിട്ടില്ലെന്നും അതു് ഫലപ്രദമായ ഒരു ചികിത്സാക്രമമാണെന്നുമാണു്. മറേറതെങ്കിലും വൈദ്യസമ്പ്രദായങ്ങളെ അപേക്ഷിച്ചു് ആയുർവേദം മോശമാണെന്നു് അദ്ദേഹം സമ്മതിക്കുന്നില്ലാ. കോട്ടക്കൽ ആര്യവൈദ്യശാലയുടെ ആഭിമുഖ്യത്തിൽ നാലഞ്ചു കൊല്ലങ്ങൾക്കു മുമ്പു നടന്ന ഒരു മീററിംഗിൽ അദ്ധ്യക്ഷം വഹിച്ചതു് ഒരു യൂറോപ്യനാണു്. അദ്ദേഹത്തെപ്പററി മുഴുവൻ അറിയാൻ പാടില്ലാ, എങ്കിലും ഇൻഡ്യാഗവമെന്റിന്റെ കീഴിൽ മെഡിക്കൽ ഡിപ്പാർട്ടുമെന്റിൽ ഒരു വലിയ ഉദ്യോഗം വഹിച്ചിരുന്ന ആളാണെന്നു് എനിക്കറിയാം. അദ്ദേഹവും ആയുർവേദത്തെ വളരെ ശ്ലാഘിച്ചു പറഞ്ഞിട്ടുണ്ടു്. സുശ്രുതൻ മുതലായവരുടെ അംഗവിഭാഗം മർമ്മവിഭാഗം ഇതുകളെപ്പററി യൂറോപ്യന്മാർക്കുള്ള അഭിപ്രായം വളരെ കേമമായിട്ടുള്ളതാണു്. ഞാൻ ഒരു വൈദ്യനായതുകൊണ്ടു പറയുന്നതല്ല.

PRESIDENT After all, we here, as a legislative body, cannot usefully employ ourselves in discussing, with any effectual result the comparative merits of one system over another. All that, we can do is to decide whether in the Medial Council X or Y should be substituted

[President.]

or whether it should be No. X or No. Y. Whatever decision we may arrive at, the relative merits of the Allopathic or Ayurveda system will still continue to be what they are.

MR. A.K. KUMARAN VAIDYAN: ഇവിടെ പലരും ആയുർവേദത്തെ ദുഷിച്ച് അഭിപ്രായം പറഞ്ഞു എന്നുള്ളതുകൊണ്ടുമാത്രം ഞാൻ ഇതൊക്കെ പ്രസ്താവിച്ചു എന്നേയുള്ളു. അത് എന്റെ കടമയുമാണു.

അതുകൊണ്ടു ഒരിക്കലും ഈ മെഡിക്കൽ കൌൺസിലിൽ അംഗങ്ങളെ വർദ്ധിപ്പിക്കണമെന്ന് എനിക്കു അഭിപ്രായമില്ലാ. അങ്ങിനെ കൂട്ടണമെങ്കിൽ ആയുർവേദത്തിനും മെമ്പറന്മാരെ കൂട്ടണമെന്നു അപേക്ഷിച്ചുകൊണ്ടു ഞാൻ ഈ ഭേദഗതിയെ എതിർക്കുന്നു.

MR. S. CHATTANATHA KARAYALAR: Sir, I am willing to lend my support to the priciple underlying the motion moved by Mr. K. G. Govindan but, at the same time, I must say that I enter a caveat at the charge levelled against the Select Committee to the effect that it transferred its limits and went beyond its jurisdiction. I assert that the Select Committee has not exceeded its jurisdiction. The objection that the honourable member raised was that the principle underlying this particular section was transgressed by the Select Committee, Let me tell Mr. Govindan that the Select Committee has not gone against the principle of the Bill. That is all what the Committee concerned itself with. It has discharged its duties according to the standing orders and provisions laid down in the Rules.

The question that the amendment of Mr. K. G. Govindan to delete sub clause (2) of clause 3 and to insert instead sub clause (2) of clause 3 of the original Bill, be accepted was put and carried.

The question that Clause 3 as amended stands part of the Bill was put and carried.

Clause 3 as amended was added to the Bill.

The question that Clause 4 stands part of the Bill was put and carried.

Clause 4 was added to the Bill.

MR. N. NARAYANA KURUP (*Ambalapuzha cum Shertalla*):

> "In clause 5, lines 2, after the words 'holder of', insert the words 'a Diploma of any institution registered with the Government of India or' and read the whole section.

By the insertion of the amendment the Section will read thus"

> Eevry member of the Council shall be a registered practitioner and the holder of a Diploma of any institution registered with the Government of India or a recognised qualification under this Act."

My object is this. We lay down, by the section 5, that to be a member of the Council, a person must be a registered practitioner and holder of a recognised qualification. Under the homoeopathic system and the

Siddha system, there is no qualification prescribed, Therefore, by prescribing that he should be a registered practitioner together with a recognised qualification, his right to be a member of the Council is restricted. My sincere opinion is that this is particularly included by some members interested to come in as a member of the Medical Council, because as I submitted under the homoeopathic and under the Siddha systems, there is no qualification prescribed at present according to the schedule of this Bill.

RAO BAHADUR DR. T. S. TIRUMURTI: The statment is wrong. The Government of Madras have put down qualifications for these systems.

MR. N. NARAYANA KURUP: May I know from the honourable member what the qualification prescribed in Siddha vaidyam is?

RAO BAHADUR DR. T. S. TIRUMURTI: L. I. M.(Siddha) of Madras,

MR. N. NARAYANA KURUP: May I know whether this Bill is intended for the Siddha practitioners of Travancore or outside Travancore?

RAO BAHADUR DR. T. S. TIRUMURTI: All that they must have is a qualification for practising the Siddha system,

MR. N. NARAYANA KURUP: Is there any member with that qualification in Travancore?

RAO BAHADUR DR. T. S. TIRUMURTI: Yes, there are men with L. I.M. degree.

MR. N. NARAYANA KURUP: May I know whether the honourable member is able to name anyone in Travancore with the prescribed qualification?

RAO BAHADUR DR. T. S. TIRUMURTI: I know there was a member in Madras who even applied to the Government of Travancore for being appointed as Inspector of Siddha Vaidyasalas.

MR. K. G. GOVINDAN: Sir, may I add that under Schedule B there is a qualification prescribed for the Siddha system namely, certificate or diploma granted by His Highness the Maharaja's Ayurvedic College, Trivandrum or the Government of Travancore. So it is open to the Government to recognise Siddha and here is an opportunity for him to get himself so qualified.

MR. N. NARAYANA KURUP: Sir, so far as Ayurveda is concerned there is this qualification specified, because the Government have their own college. Is there any such for Siddha or Homoeopathy?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I draw the attention of the honorable member to page 18 wherein he will find schedule B prescribing the qualifications for Siddha. There are qualifications for other systems too such as Homoeopathy.

MR. N. NARAYANA KURUP: Sir, I have nothing more to add. With these words I move my amendment.

RAO BAHADUR DR. T. S. TIRUMURTI: Sir, I have very little to add. Facilities have been provided for getting qualified in the Siddha system of medicine. The honourable member may refer to schedule B. It will be clear for him. The School of Indian Medicine of the Government of Madras provides for L. I. M. (Siddha)

MR. N. NARAYANA KURUP: May I know whether there is any qualification prescribed for Homoeo-medicine?

RAO BAHADUR DR. T. S. TIRUMURTI: Schedule E gives the answer.

> "All qualifications which may be recognised by the Government of Travancore, the British Indian Provinces or the General Medical Council of Great Britain or America."

From this it is clear that there are qualifications prescribed in the Schedule. According to the present bill Homoeo practitioners, who are practising at present can continue in practice but cannot stand for election as a member of the Medical council unless they possess a qualification recognised by the council i. e. included in the schedule. Therefore my submission is that only a registered Vydian or a registered practitioner who is also qualified is entitled to be a member of the Medical council. The right to become qualified is vested in him and then he will be eligible for memberships of the council.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Then may I know, are there two kinds of registration?

RAO BAHADUR DR. T. S. TIRUMURTI: I shall make myself a little more clear. A member of the medical council should possess a registrable and recognised qualification as otherwise members of the Medical council will be unqualified persons and the council cannot command any respect or dignity outside the State. Therefore by this clause those who wish to come in as members of the medical council must be only qualified persons.

I know there are a number of institutions, which state they are recognised institutions and thereby hoodwink the public. The Provincial Governments have not so far recognised. They are registered but not recognised. They are registered like any other business concerns, associations, societies etc.

PRESIDENT: On the analogy of scheduled banks registered under the Reserve Bank Act.

RAO BAHADUR DR. T. S. TIRUMURTI: Yes Sir; thereby they get certain facilities but no recognition by the Government. Under these circumstances, I request that this amendment should not be accepted.

MR. E. SUBRAMONIA AIYAR: Sir, clause 5 says.

> "Every member of the Council shall be a registered practitioner and the holder of a recognised qualification under this Act."

There is a condition precedent. If there is any trouble it appears to me that unless he is a registered practitioner he cannot be a member of the council. When we come to Section 22 which deals with registration that can be had even for all people who have not got the recognised qualification. I ask, why there should be these two things. Section 22 makes provision for registration of medical practitioners and what is considered to be a recognised qualification for the subsequent working of Act.

> 22 (iii) every person who within the period of one year from the date on which this Act comes into force, proves to the satisfaction of the Council that he has been in regular practice as a practitioner for a period of not less than five years, preceding the date on which he makes the application for being registered as a practitioner under this Act.

(iv) every person who has passed an examination prescribed by the Council, and

(v) every practitioner though not eligible for registration under clause (i), (ii), (iii) and (iv) but has worked for one year as an apprentice under a practitioner, or received training for one year in an institution, if such apprenticeship or training is in the opinion of the council sufficient to qualify him to practise as practitioner.

So, persons who register themselves are allowed to practise, but if they want to become members of the council they must have some other additional qualification. There is provision for exemption from registration. Two conditions are narrated.

For practising, registration is enough. For membership registration and recognised qualification, a degree or diploma which shows efficiency character and other capacity are essential. I do not see why these two conditions should not be insisted upon for membership while for practising there is only one. When this scheme of the Act is viewed in that aspect, there is no necessity for further amendment. That is all my point.

Mr. Narayana Kurup's amendment was put to vote and lost.

The question that clause 5 shall stand part of the Bill was put to vote and carried.

The clause was added to the Bill.

Clause 6.

MR. K. G. GOVINDAN: Sir, I move

In Clause 6, between the figure '5' and the word 'in', insert the following 'with respect to elections'.

With the amendment, clause 6 reads thus.

"Notwithstanding anything contained in sections 3, 4 and 5, with respect to election, in the case of appointments to the first council made under this Act, all the members shall be nominated by our Government."

The section, as it stands, would mean that Government might appoint any number of members to the first council. For instance Government might appoint only, say, 3 members, to the first council.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, I do not see the need for this amendment. By clause 6, it is intended to act exactly in terms of clause 3, where nominations will be made by Government. Under the clause as it is framed, it is intended that nominations will be made as per principle mentioned in clause 3. Hence the proposed amendment is unnecessary.

MR. K. G. GOVINDAN: My suggestion is that under the clause, as it now stands, Government might appoint to the first council only two persons or three persons.

MR. K. G. KUNJUKRISHNA PILLAI: No, that is a mistaken impression. It says definitely that there will be 17 members.

The amendment was put to vote and lost.

MR. N. NARAYANA KURUP: Sir I move:

In clause 6, add the words "on the principle of Section 3 of the Act', after the word "Government" in line 4.

Appointment of members should be on the principle enunciated under Section 3.

MR. K. G. KUNJUKRISHNA PILLAI : The difficulty is that Section 4 provides that if, under Section 3, all persons are not available, Government could nominate. So reading these Sections together it will be clear that this amendment is unnecessary.

The amendment was put to vote and lost. The question that clause 6 shall stand part of the Bill was put and carried.

The clause was added to the Bill.

Clause 7.

MR. N. NARAYANA KURUP : Sir, I move

> In clause 7, add to sub-clause (e) "or who has been dismissed from service under any Government."

This is a very necessary one. There may be some medical practitioners who might have no disqualifications prescribed in sub-clauses (a) to (g), but at the same time they might have been dismissed from service for moral turpitude or other causes either by this Government or any other Governments. They might be practising in our society. Such persons should not be eligible for membership.

MR. K. G. KUNJUKRISHNA PILLAI : Sir, I will accept that amendment.

The amendment was put to vote and carried.

The question that Clause 7, as amended do stand part of the Bill was put and carried.

The clause was added to the Bill.

Clause 8.

The question that clause 8, do stand part of the Bill was put and carried.

Clause 8 was added to the bill.

Clause 9.

MR. K. G. GOVINDAN : Sir I move

> In clause 9, sub-clause (i) (a), delete "five years" and insert instead "one year".

With the amendment the clause would read thus.

> "Same as otherwise provided in this Act, the term of office of the member other than the ex-officio members shall - in the case of the first council be for a period of one year commencing from the date on which the first meeting of the council is held, and."

My reason that if 5 years provision is retained in the Bill that would be practically holding the right of medical practitioners to come into the council by election in abeyance for 5 years. It is the legitimate pride of every medical practitioner to serve in the council.

PRESIDENT : The trouble about it would be that the first register may not be compiled within one year. There is a lot of work to be gone through by way of enquiries and so on. Such a useful task to be finished might require some more time.

MR. K. G. GOVINDAN : It may even be raised to 2 or 3 years.

MR. K. G. KUNJUKRISHNA PILLAI : Sir, the difficulties are two-fold. One is to complete the register and the other is to draw up rules and regulations. All that necessarily requires time. So a reasonable time for the first council to function has to be provided so that it may lay down the office after making a complete register for their successor

to function in a proper manner. All that is intended is to establish a body which will function thereafter without friction in the normal course of things and hence the period is put at 5 years. I have not the slightest objection to reduce the period by one or two years if the House desires so,

RAO BAHADUR DR. T. S. TIRUMURTI: Every medical council established so far was functioning for 5 years in the first instance and subsequently for three years. That has been established from experience. But it is for the House to decide.

The amendment was put to vote and lost.

MR. P. KUNJUKRISHNAN: Sir. I move that

> 'In clause 9, sub-clause (1) (a), delete "five years" and insert instead "thee years".

I submit that three years is a reasonable period.

The amendment was put and carried.

MR. K. G. GOVINDAN: In clause 9 there is another consequential amendment to be made.

I move that in sub-clause 1 (b) also, 'three' may be substituted for 'five'.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, that also can be accepted.

The motion was put and carried.

The question that clause 9 as amended do stand part of the Bill was put and carried.

The clause was added to the Bill.

Clauses 10 to 15.

The question that clauses 10 to 15 do form part of the Bill was put and carried.

The Clauses were added to the Bill.

Clause 16

MR. N. NARAYANA KURUP: Sir, I beg to move the following amendment:—

> "In clause 16, sub-clause (2). line 6, add the words "which fact shall be notified to the absentee members" between the words "place" and "and if" and read the whole section."

There is no provision for intimating the absentee members about the date of the adjourned meeting. This amendment is intended to give notice to the absentee members. The clause as amended would read thus.

> "All questions at a meeting of the Council shall be decided by the votes of the majority of the members at the meeting. Ten members shall form a quorum. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same day in the following week at the same time and place *which fact shall be notified to the absentee members* and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the members present shall be a quorum.

RAO BAHADUR DR. T. S TIRUMURTI: I think this amendment may be accepted.

MR. K. G. KUNJUKRISHNA PILLAI: I do not think it is necessary to accept the amendment because the notice of every meeting must be given to all members. That is a fundamental principle of any meeting.

[Mr. K. G. Kunjukrishna Pillai.]

That need not be incorporated in any section of any Act. And in the case of an adjourned meeting when it is provided "the same day in the following week at the same time and place" this amendment is not necessary.

MR. S. CHATTANATHA KARAYALAR: This portion is borrowed from the Companies Act.

The amendment was put to vote and lost.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: With regard to the quorum of the Council, ten was fixed when the strength of the Medical Council was twenty one. Now we have reduced the number of the members of the council to seventeen. Therefore a consequential amendment is necessary with regard to the quorum in the light of the present number. I suggest that "eight" may be inserted for "ten" in line three of sub-clause (2).

MR. K. G. KUNJUKRISHNA PILLAI: I accept the amendment.

The amendment was put to vote and carried.

The question that Clause 16, as amended, 20 form part of the Bill, was put and carried.

The Clause was added to the Bill.

Clause 17.

MR. N. NARAYANA KURUP: Sir, beg to move the following amendment:

"In clause 17, add the following proviso:

> "Provided however such executive committees or other committees shall consist of a majority of members representing a system of medicine when matters pertaining to that system arise for consideration and if the number of members representing any system is only one, his opinion shall prevail in regard to the matters pretaining to that system.",

When the several practitioners of the several systems of medicine were pulling the rope this way and that way, some of us thought of a via media for giving a separate committee for each system of medicine. We expressed the desire to Mr. Sivathanu Pillai the spokesman of the Sidha system and he also agreed to the suggestion. He accordingly drafted this amedment. So, practically the wording of the amendment is of Mr. Sivathanu Pillai. I had made only certain verbal alterations. Therefore, the credit for the drafting of the amendment goes to Mr. Sivathanu Pillai though it is not brought under his name. I am glad that the President has remarked that each system of medicine will have a separate Committee for the management of its own affairs. Therefore the Legal Remembrancer may have no objection in accepting this amendment which is more or less on the lines given expression to by the Dewan-President.

MR. K. G. KUNJUKRISHNA PILLAI: I can assure the honourable members that the object to be achieved by this amendment is the same as that of the Government. But the amendment is unnecessary for the reason that there is another section by which a Committee will be constituted to draw up regulations of which the Legal Remembrancer is a member and one of the underlining ideas of the regulations is to constitute separate Committees for separate systems. So that under the regulations according to the exigencies, rules will be

framed. This section is merely intended to express a general intention that there shall be a Committee. With this assurance I hope the honourable member will withdraw his amendment.

The amendment was by leave, withdrawn.

The question that Clause 17 do form part of the Bill was put and carried.

The Clause was added to the Bill.

Clause 18

MR. M. R. NARAYANA PILLAI: Sir, I beg to move the following amendment:

> "Clause 18 (1): For "The Council shall appoint with the previous approval of our Government a Registrar who" substitute "There shall be a Registrar of the Council who shall be appointed by Our Government and the Registrar."

The Clause as at present reads thus:

> "The Council shall appoint with the previous approval of Our Government a Registrar who shall be the Secretary.. ......".

Instead of the cumbersome process of the Council writing to the Government, and various letters exchanging between the council and the Government, for the appointment of a Registrar, I have suggested that the Government shall appoint the Registrar.

PRESIDENT: The Council will have more knowledge of these things.

MR. M. R. NARAYANA PILLAI: Instead of the cumbersome process of the Council writing to the Government and then getting their sanction.........

PRESIDENT: Practically this is a self-governing body. Government might lend their own officers or they may have the final right of appointment. They always do it in consultation with such bodies.

MR. M. R. NARAYANA PILLAI: I do not press the motion.

The motion was, by leave, withdrawn.

The question that Clause 18 do form part of the Bill was put and carried.

The clause was added to the Bill.

Clause 19.

The question that Clause 19 do form part of the Bill was put and carried.

The Clause was added to the Bill.

Clause 20.

MR. M. R. NARAYANA PILLAI: Sir, I beg to move the following amendment:

> "In Clause 20 (1) delete the second part of the sub-clause commencing "The Registrar" and ending "the Committee".

My amendment refers to the second portion of sub-clause (1) of Clause 20. So far as the rule making power of this Bill is concerned, the Legal Remembrancer will, more or less, constitute the Government. Whatever that means the Government will have to send for remarks or for opinion to the Legal Remembrancer. So, the Legal Remembrancer if made a necessary member of this Rule making Body, he will be acting on both sides. He should be either in one place or the other.

RAO BAHADUR DR. T. S. TIRUMURTI: The Legal Remembrancer's functions will be of an official character. In fact it will be the medical men that will be entrusted with the work of drawing of the regulations.

MR. M. R. NARAYANA PILLAI: Whatever that is drafted by the Committee will have to go to the Government and that means to the Legal Remembrancer.

PRESIDENT: Government are not exclusively dependent upon the Legal Remembrancer. The Legal Remembrancer is particularly connected with what may be called the rule making activities of Government.

MR. M. R. NARAYANA PILLAI: I do not press the amendment.

The amendment was, by leave, withdrawn.

MR. K. G. GOVINDAN: Sir, I beg to move the following amendment:

> "Clause 20 (1). This Clause is to be read as in the original Bill with 2 instead of 1 for the number of Ayurvedic practitioners on the Committee"

MR. S. CHATTANATHA KARAYALAR: Sir, I rise to a point of order. The honourable member Mr. P. Kunjukrishnan who has given notice of this amendment is present So the honourable member Mr. K. G. Govindan has no right to move it.

PRESIDENT: The amendment is ruled out of order.

MR. K. G. GOVINDAN: Sir, I beg to move the following amendment:—

> "In Clause 20, Sub-clause (1), delete "seven" in the second line and insert instead "ten"

I wish to point out that in the revised Bill one sentence contained in the original Bill is deleted. My submission is that that sentence may be included in the revised Bill. I do not know what exactly is the reason which prompted the members of the Select Committee to delete that sentence. The number has been reduced to seven.

MR. K. G. KUNJUKRISHNA PILLAI: But that is not the amendment that we are at now.

PRESIDENT: It does not arise.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, in clause 20 (3), instead of 'ten members' 'eight members' may be substituted.

MR. K. G. KUNJUKRISHNA PILLAI: I accept it.

The amendment was put to vote and carried.

92. **MR. M. R. NARAYANA PILLAI:**

In Clause 20 (4), for the words "It shall be competent for the Council to advise Our Government on its initiative or at the instance of Our Government", substitute "Our Government may call for the advice of the Council".

In that Clause it is said

"It shall be Competent for the Council to advise Our Government......"

It more or less makes incompetent for the Government to call for an opinion if it is put as

"It shall be competent for the Council to advise Our Government."

My amendment is;

"Our Government may call for the advice of the Council".

MR. K. G. KUNJUKRISHNA PILLAI; The necessity was felt this way No doubt when the Government wants to call for an opinion they may do so.

PRESIDENT: I think it would be better to omit Sub-clause(4) altogether.

MR. K. G. KUNJUKRISHNA PILLAI: That may be done.

The proposal to omit Sub-clause (4) of clause 20 was accepted by the House.

MR. M. R. NARAYANA PILLAI: I move:—

In Clause 20 (8), delete the full stop after Government Gazette and add "at least for two months before they are put in force".

At the end of sub-clause (8) the words "at least for two months" should be inserted to indicate the duration of publication in the Government Gazette. As the Bill is, the alterations are to be put into force immediatly after publicateion in the Gazette. At least a period of two months may be allowed to pass before the altered schedule comes in to force.

MR. K. G. KUNJUKRISHNA PILLAI: The schedule may altered at any time. It is the alteration that is to be published and not a draft. Hence the amendment is not in order.

The amendment was, by leave, withdrawn.

MR. M. R. NARAYANA PILLAI: I mean.—

In Clause 20 (9), in line 2, between "compounds" and "and" insert "according to all systems of medicine recognised by Our Government".

RAO BAHADUR DR. T. S. TIRUMURTI: It is better to leave it without mentioning it, because this rule exists in Madras.

PRESIDENT: As a matter of fact, how is it to be enforced? Supposing that the list is imperfect or is not published, what is the penalty imposed on the Council?

MR. E. SUBRAMONIA AIYAR; Under the present provision, a *mandamus* can be taken if they do not publish the list.

PRESIDENT: There was a very similar provision in regard to which under the University Act the Government was forced to do a certain thing. Suppose in the course of the next two or three years, the Council does not publish such a list. Then the argument will be that it is incapable of performance. The whole question is whether the House wants the provision or not.

MR. K. G. KUNJUKRISHNA PILLAI: The intention of the Clause was this. A book called "Pharmacopoeia" is to be published which will give all the information regarding the medicines in each system.

PRESIDENT: There is a publication very recently made in Calcutta with regard to Ayurvedic drugs. There are one or two small books on the subject. But no one is comprehensive. It is a matter entirely for the House to decide.

RAO BAHADUR DR. T. S. TIRUMURTI: I think the sub-clause may be dropped.

The question that Sub-clause (9) of Clause 20 be omitted was put and carried.

MR. N. NARAYANA KURUP: I move.

In Clause 20, add the following proviso;

> "Provided however that in the performance of such duties and exercise of such powers and privileges by the Council, pertaining to the different systems of medicine, the majority opinion of the representatives of each system in the Council or if the number of representatives is only one, his opinions, shall prevail".

Clause 20 describes the duties, powers and privileges of the Council such as making regulations, making alterations in the regulations prescribing qualification and so on. In that Clause as submitted by the Legal Remembrancer it is stated that a separate board or committee will be constituted for each system of medicine in the Council and when such a committee is constituted for the management it is quite essential that the duties and powers vested with the general council with regard to management must be vested with the committee for the management of each system of medicine.

MR. K. G. KUNJUKRISHNA PILLAI: I have already stated that proper rules and regulations will be made.

MR. E. SUBRAMONIA AYYAR: I may be permitted to make one observation. It is certainly better to leave the matter to the discretion of the Council. Certainly the object is to advance and encourage every system. These are matters which require close consideration and deliberation. They will allocate their work so as to out-limit their functions by hard and fast rules. Let us leave all that to the rule-making powers.

The amendment was, by leave, withdrawn.

MR. JOSEPH VITHAYATHIL: The sub-clauses in clause 20 have to be re-numbered.

PRESIDENT: Yes, that will be done.

The question that Clause 20, as amended, shall form part of the Bill was put and carried.

Clause 20 as amended was added to the Bill.

Clause 21.

The question that Clause 21 do stand part of the Bill was put and carried. The clause was added to the Bill.

Clause 22.

MR. M. R. NARAYANA PILLAI :

In Clause 22 (1) after sub-division (iv) insert the following ;—

"(v) every practitioner whose name is on the list of practitioners recognised by the Director of Ayurveda in Travancore on the date this Act comes into force", and renumber the existing sub-division (v) as "(vi)"

My reason for the amendment is that there is now at least one correct list of of certain Medical Practitioners and that is the list of Ayurvedic Practitioners as recognised by the Ayurveda Department.

PRESIDENT ; Is there such a list ?

RAO BAHADUR DR. S. TIRUMURTI : There is a list now for grant-in-aid practitioners and for recognised practitioners.

MR. K. G. KUNJUKRISHNA PILLAI : There is no necessity for that Clause because every one in that register will come within one or other of the other clauses. No man will escape from coming within one of these clauses.

MR. M. R. NARAYANA PILLAI : So long as their names are on the Department's list, they should not be called upon further to produce certificates from a Tahsildar or any other person authorised by Government in that behalf ?

The amendment was put to vote and lost.

MR. N. RAMAKRISHNA PILLAI : In Clause 22, sub-clause (1) proviso, substitute "the date on which this Act comes into force" for "commencement of this Act."

MR. K. G. KUNJUKRISHNA PILLAI : I have no objection to the amendment being accepted.

The amendment was accepted by the House.

MR. JOSEPH VITHAYATHIL : I move the following amendment ;

In Clause 22, sub-clause (2) line 7, for the word "he" substitute the words "the applicant."

The pronoun cannot be "he."

MR. K. G. KUNJUKRISHNA PILLAI : I accept the amendment.

The amendment was put and carried.

The question that clause 22, as amended do stand part of the Bill was put and carried. The clause, as amended, was added to the Bill.

Clause 23.

MR. M. R. NARAYANA PILLAI ; I move the amendment to omit sub-clause (2) of clause 23. I consider it to be a very objectionable practice to permit a person to be registered in as many systems as he is eligible for. One may be qualified in the Siddha system ; he may also be qualified in the Ayurveda system. Similarly an allopathic doctor may also be qualified in the homeopathy system. If we take away the power of registration under one system, he will still have his registration in the other system, thereby nullifying the effect of the disqualification.

RAO BAHADUR DR. T. S. TIRUMURTI: One man who is qualified as an allopath may be a dentist. If one is guilty of misconduct he will be taken away from the whole register,—not only from Allopathy but also from Dentistry.

MR. M. R. NARAYANA PILLAI: I do not press the amendment.

The amendment was, by leave, withdrawn.

The question that clause 23 do stand part of the Bill was put and carried. The clause was added to the Bill.

Clause 24.

MR. K. G. GOVINDAN: I move the following amendment:

In clause 24, sub-clause (1) delete full stop at the end and add the following:

> "With respect to qualified practitioners and Rs. 5 with respect to other practitioners."

In the Bill itself a clear distinction is drawn between qualified practitioners and other practitioners. The qualified practitioners are given certain privileges under the Bill. For instance, they alone can issue medical certificates and they only are entitled to hold appointments under the Government. Therefore my submission is that there must be a distinction in the fee for registration. The qualified practitioners may pay a fee of Rs. 10 and others Rs. 5.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, I oppose the amendment on this ground. The unqualified practitioner also gets the right and status by being registered and in course of time such unqualified practitioners cease to exist at all.

The amendment was put and lost.

The question that clause 24 do stand part of the Bill was put and carried.

Clause 25.

MR. M. R. NARAYANA PILLAI: I move the following amendment:

In Clause 25, omit sub-section (2) and renumber sub-sections (3) and (4) as (2) and (3) respectively.

It is a contingent clause. Certain things must happen, then only this will come into force.

MR. K. G. KUNJUKRISHNA PILLAI: It was intended as an illustration of the principle enunciated by the House. The question was as to who should be consulted. If for a particular system, there is a person in that locality belonging to that system then he must be consulted.

MR. M. R. NARAYANA PILLAI: If a person from Ponnani asks for registration, it will be impossible to consult anybody there.

The amendment was put and lost.

MR. P. KUNJUKRISHNAN: Sir, I move the following amendment:

Clause 25 (3) of the original Bill to be deleted. There is no harm in deleting this. It will only add to the value of the medical profession in the State.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, I oppose it.

The amendment was put and lost.

The question that clause 25 do stand part of the Bill was put and carried. The clause was added to the Bill.

Clauses 26 to 28.

The question that clauses 26 to 28 stand part of the Bill was put and carried. The clauses were added to the Bill.

Clause 29.

MR. M. R. NARAYANA PILLAI: I move the following:

In Clause 29 (2) in line 2 after "shall" delete the comma and the words immediately following up to "registration."

My amendment is that the words "one year after his registration" should be deleted. Otherwise this would mean that he can go on doing whatever he likes during that period of one year.

MR. K. G. KUNJUKRISHNA PILLAI: We have given one year's exemption. That is why it is put in there.

RAO BAHADUR DR. T. S. TIRUMURTI: The amendment may be accepted.

The amendment was put and carried.

The question that clause 29 as amended do stand part of the Bill was put and carried. The clause was added to the Bill.

Clause 30.

The question that clause 30 do stand part of the Bill was then put and carried. The clause was added to the Bill.

Clause 31.

MR. M. R. NARAYANA PILLAI: I move the following amendment:

In Clause 31 (2), for "filed and shall be heard and decided" substitute "received and disposed of."

MR. K. G. KUNJUKRISHNA PILLAI: That would make the position ambiguous. I am prepared to delete the words "shall be filed and" from the sub-clause (2).

The former amendment was put and lost, while the proposal to delete the words 'shall be filed and' was accepted by the House.

The question that clause 31 as amended do stand part of the Bill was put and carried. The clause was added to the Bill.

Clause 32.

MR. M. R. NARAYANA PILLAI: I move the following amendment:

In Clause 32, for "31 (3)" substitute "31."

I do not find any particular need to have (3).

PRESIDENT: It is only a verbal alteration and the Legal Remembrancer will make the necessary amendment.

The amendment was accepted by the House.

The question that clause 32, as amended, stand part of the Bill was put and carried. The clause was added to the Bill.

Clause 33.

MR. M. R. NARAYANA PILLAI: I move the following amendment:

In Clause 33, line 1, delete the words "if it seems fit and," and in line 3 for "enquiring," substitute "after inquiry."

These are only verbal changes.

PRESIDENT: Yes, they are only verbal amendments which will be made by the Legal Remembrancer.

The amendments were accepted by the House.

MR. M. R. NARAYANA PILLAI: I move the following amendment:

In Clause 33, in line 4, for "shall" substitute "may," and in line 6, between "about" and "be," insert "shall."

PRESIDENT: The amendment does not seem to be necessary.

The amendment was put and lost.

The question that clause 33 as amended do stand part of the Bill was put and carried. The clause was added to the Bill.

Clauses 34 and 35.

The question that clauses 34 and 35 stand part of the Bill was put and carried. The clauses were added to the Bill.

Clause 36.

MR. K. G. GOVINDAN: I move the amendment:

'In Clause 36, second proviso, delete 'or appeal.'

As amended the proviso will read:

> 'Provided further that this section shall not apply to any person who after having filed the application for registration is awaiting the decision of the Council or of Our Government in case of appeal, if such application is presented within a period of one year from the date on which this Act comes into force.'

Now, Sir, there is one difficulty with regard to this clause. That is about the date on which this Act comes into force. Amended sub-clause (3) to Clause 1 reads: 'The provisions of chapters I, II, III and IV shall come into force on such date or dates as Our Government may by notification in Our Government Gazette appoint.'

MR. K. G. KUNJUKRISHNA PILLAI: May I intervene? The whole of the second proviso has to be deleted as we have accepted the amendment to Clause I.

PRESIDENT: I think so.

The proposal that the 2nd proviso to Clause 36 be deleted was accepted by the House.

The question that Clause 36 as amended do stand part of the Bill was put and carried.

Clause 36 as amended was added to the Bill.

Clauses 37 to 39.

The question that Clauses 37 to 39 stand part of the Bill, was put and carried.

Clauses 37 to 39 were added to the Bill.

MR. N. NARAYANA KURUP: In Clause 40 sub-clause (1) (b) (iv), line 2, delete the words "an authority empowered" and the words "any institution registered with Government of India" and read the whole section.

സർ, ഈ ബിൽ നിയമിതമായതിനുശേഷം തിരുവിതാംകൂർ ഗവൺമെൻറു അംഗീകരിച്ചിട്ടുള്ള ഡിഗ്രിയോ, ഡിപ്ലമായോ, ലൈസൻസൊ, സർട്ടിഫിക്കററൊ ഇല്ലാത്തവരും, ഷെഡ്യൂളിൽ പറഞ്ഞിരിക്കുന്ന ഏതെങ്കിലും സ്ഥാപനങ്ങളിൽ നിന്നും നൽകപ്പെട്ടിട്ടുള്ള ഡിഗ്രിയൊ, ഡിപ്ലമായൊ, ലൈസൻസൊ, സർട്ടിഫിക്കററൊ ഇല്ലാത്തവരും അമേരിക്കയിലെ ജനറൽ കൌൺസിൽ ആഫ് മെഡിക്കൽ എഡ്യൂക്കേഷനാൽ അംഗീകരിക്കപ്പെട്ടിട്ടുള്ള ഡിഗ്രിയൊ ഡിപ്ലമായൊ, ലൈസൻസോ, സർട്ടിഫിക്കററൊ ഇല്ലാത്തവരും ഈ മൂന്നു തരത്തിലുമല്ലെങ്കിൽ തിരുവിതാംകൂർ ഗവൺമെൻറു അംഗീകരിച്ചിട്ടുള്ളതൊ അധികാരപ്പെടുത്തിയിട്ടുള്ളതൊ ആയ സ്ഥാപനങ്ങളാൽ നൽകപ്പെട്ടിട്ടുള്ള ഡിഗ്രിയൊ ഡിപ്ലമായൊ, ലൈസൻസൊ, സർട്ടിഫിക്കററൊ ഇല്ലാത്തവരും ഏതെങ്കിലും സംപ്രദായപ്രകാരമുള്ള ചികിത്സ നടത്തുന്നവനാണെന്നു കാണിക്കുന്ന ഡാക്ടരെന്നൊ എച്ച്. എം. ബി. എന്നൊ, എച്ച്. എം. ഡി. എന്നോ മററൊ ഉള്ള അക്ഷരങ്ങളൊ മുദ്രക്കപ്പേരുകളൊ അവരവരുടെ പേരുകളോടുകൂടി ചേർത്തു എഴുതാൻ പാടില്ലാ എന്നുള്ളതാണ് ഈ വകുപ്പിൽ വിവരിക്കുന്നതു്. ആക്ററു നടപ്പിൽ വന്നതിനുശേഷം അപ്രകാരം എഴുതിയാൽ ശിക്ഷാർഹവുമാണ്.

എന്നാൽ എനിക്കുപറയുവാനുള്ളതു് അലോപ്പതി, ഹോമിയോപ്പതി, ആയുർവേദം സിദ്ധവൈദ്യം എന്നീ വൈദ്യശാസ്ത്രങ്ങൾ അനുസരിച്ചുള്ള ചികിത്സകളിൽ നല്ല പരിചയംകൊണ്ടും പാണ്ഡിത്യംകൊണ്ടും പലതരം പ്രാക്ടീസുകൊണ്ടും ജനങ്ങളുടെ ആരോഗ്യത്തിനു വേണ്ടി പ്രയത്നിച്ചു അവരുടെ സുഖക്കേടുകൾ ഭേദമാക്കിയ അനേകം ഡാക്ടറന്മാരും വൈദ്യന്മാരും, മെഡിക്കൽ പ്രാക്ടീഷണർമാരും തിരുവിതാംകൂർ ഗവമ്മെൻറു റക്കഗ്നൈസ് ചെയ്ത ഒരു പരീക്ഷാസർട്ടിഫിക്കററില്ലാത്ത കാരണത്താൽ, ആക്ററു പാസ്സായശേഷം, ഇപ്പോൾ, പേരിനു മുമ്പും പിമ്പും എഴുതിവരുന്ന സ്ഥാനങ്ങൾ എഴുതരുതെന്നും എഴുതിയാൽ ശിക്ഷിക്കുമെന്നും നിയമമുണ്ടാക്കുന്നതു് സങ്കടകരമാണെന്നാണു. അവർ ഉപയോഗിച്ചിരിക്കുന്ന ബിരുദങ്ങൾ, ഏതെങ്കിലും സ്ഥാപനങ്ങൾ കൊടുത്തിട്ടുള്ളതാണ്. അവരുടെ ചികിത്സ ജനസാമാന്യത്തിന്നു് തൃപ്തികൊടുത്തിട്ടുണ്ട്. പല പരീക്ഷായോഗ്യതക്കാരെയുംകാൾ അവർ ഭംഗിയായും ഉപയോഗപ്രദമായും പല അവസരങ്ങളിലായി ചികിത്സ നടത്തുന്നുണ്ട്. കാളേജുകളിൽ പഠിച്ചു സർട്ടിഫിക്കററു വാങ്ങിയില്ലെന്ന കാരണത്താൽ, അവരെ അവഹേളിക്കുന്നതു്, ആശാസ്യമായി തോന്നുന്നില്ല.

[Mr. N. Narayana Kurup.]

അതുകൊണ്ടു ഏറിയകാലമായി പ്രാക്റ്റീസു ചെയ്തുകൊണ്ടിരിക്കുന്ന ഡാക്ടറന്മാരും വൈദ്യന്മാരും മെഡിക്കൽ പ്രാക്ടീഷണറന്മാരും ഈ ബിൽ പാസാക്കിയതിനുശേഷം ഡാക്ടർ എന്ന സ്ഥാനപ്പേരു വയ്ക്കുവാനോ, മററു ബിരുദങ്ങൾ പേരോടുകൂടി ചേർത്തു എഴുതുവാനോ എന്നു മാത്രമല്ലാ ഇന്നു തുടർന്നുകൊണ്ടുപോകുന്ന രീതിയിൽ ബോർഡ് എഴുതി വയ്ക്കാനൊ സാദ്ധ്യമല്ലെന്നുള്ളതു് നിശ്ചയമാണു്. അല്ലാതെ, ഇപ്രകാരം തുടരുന്നപക്ഷം ൫൦൦ രൂപാ വരെയുള്ള ശിക്ഷ അനുഭവിക്കുകയും വേണം.

സർ, ഇതു് എന്തൊരു മഹാപാപമാണു്. ഡാക്ടറന്മാർ എന്ന വിശ്വാസത്തിൽ യോഗ്യതയുള്ളവരെന്ന വിശ്വാസത്തിൽ അവരെക്കൊണ്ടു ചികിത്സിപ്പിച്ചു് ജനങ്ങൾക്കു്, അവർ എം. ബി. ബി. എസ്. എന്നും എൽ. എം. പി. എന്നും മററും എഴുതി വച്ചിരുന്നതൊക്കെ എടുത്തു കളയണമെന്നു പറയുമ്പോൾ മുമ്പു അവർ അപ്രകാരം ചെയ്തിരുന്നതു് ജനങ്ങളെ കളിപ്പിക്കാൻ വേണ്ടിയാണെന്നാണു് അവർ വിചാരിക്കുന്നതു്. എന്നു മാത്രമല്ലാ അപ്രകാരമുള്ളവരിൽ ജനങ്ങൾക്കു വലിയ അവജ്ഞക്കും കാരണമായിത്തീരും. ഇന്നത്തെ ഈ നിയമം അനുസരിച്ചു് അധികംപേരും അവർ ഇപ്പോൾ വച്ചിരിക്കുന്നതായ സ്ഥാനങ്ങളും മററുള്ള അക്ഷരങ്ങളും എല്ലാം തിരിച്ചെടുക്കേണ്ടിവരും. അതിനാൽ ഞാൻ അവതരിപ്പിച്ചിരിക്കുന്ന ഈ അമൻറുമെൻറു പാസാക്കണമെന്നാണു് ഞാൻ അഭിപ്രായപ്പെടുന്നതു.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: അവർ ഇപ്പോൾ സ്വീകരിച്ചിട്ടുള്ള സ്ഥാനം ശരിയാണെന്നുണ്ടെങ്കിൽ അതു് തിരിച്ചെടുക്കണമെന്നുണ്ടോ?

MR. N. NARAYANA KURUP: ശരിയാണെങ്കിൽ എടുക്കേണ്ട ആവശ്യമില്ല. എന്നാൽ ഈ നിയമം നടപ്പിലായാൽ പലരുടേയും സ്ഥാനങ്ങൾ തിരിച്ചെടുക്കേണ്ടതായി വരുമെന്നാണു് ഞാൻ പറയുന്നതു്.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: അവർ ഇപ്പോൾ വച്ചിട്ടുള്ള സ്ഥാനങ്ങൾ കള്ളമായിട്ടുള്ളതാണെങ്കിൽ തിരിച്ചെടുക്കുന്നതല്ലേ നല്ലതു്.?

MR. N. NARAYANA KURUP: അവർ സ്വീകരിച്ചിട്ടുള്ള മെത്തേഡിൽ മാത്രമേ കള്ളമുള്ളു. ഈ കള്ളങ്ങളെല്ലാം മാററണമെന്നു വിചാരിച്ചാൽ അതു അത്ര സാദ്ധ്യമല്ലാ. നമ്മിൽ എല്ലാം പലമാതിരി പല കള്ളത്തരങ്ങളും കാണാം. അതെല്ലാം മാററി മാത്രമേ സഭയിൽ ഹാജരാകാവൂ എന്നു പറഞ്ഞാൽ സ്നേഹിതനു രസിക്കുമോ?

MR. E. SUBRAMONIA AIYAR: I second the amendment made by Mr. Narayana Kurup. In fact, though penalties may be necessary, for reform we must certainly proceed by very slow steps. The severity of punishments, made even with the best of motives, will have its repercussions upon society and make the successful working of the Bill a most difficult problem. We have in Clause 36.

> "No practitioner other than a practitioner registered under this Act shall practise or hold himself out, whether directly or by implication, as practising any system of medicine, surgery or midwifery."

I believe it is sufficient protection for the public against the danger of being cheated by quacks. Why should we go further and say, that because a man holds a title, he must be punished etc? I had a friend of mine, who had not passed the M. A. examination. His names was M. A. Gopalan, and he called himself "Gopalan, M. A." Just because he used his initials after his name, are we to say that he is punishable?

PRESIDENT: There was a rather startling case when a gentleman used the C. S. I. after his name when it rightly ought to come to the left, and then there was a question of whether he had a certificate to that effect. (Laughter.)

MR. E. SUBRAMONIA AIYAR: Yes, yes. Let us not, in our over-anxiety to regulate and organize, step into domains which will not be easy to practise. After all let a gentleman with, say, a Homeopathic degree, call himself whatever he likes, but are we going to allow him to practise? If a man calls himself a doctor without registering himself and begins to practise medicine, by the very fact that he has begun to practise, he will fall into our cultches, and then we can give him the treatment that he deserves. Let us proceed by slow degrees, so that those people will realise later on, that they cannot legitimately have any ground for complaint. In this view, I am very glad to support the motion.

SADASYATILAKA T. K. VELU PILLAI: It is a very important matter according to me. Now we have arranged for a good system of registration. There is no need to add insult to injury. I may say, Sir, it is only those who have passed the M. D. who can call themselves doctors, but have we not got those who have passed the L. M S., and the L. M. P. examinations calling themselves doctors? And in our country we find the word 'Tirumeni' used to address Nambudiris as well as those belonging to the Royal family. In the same way we find that Swami is used to address other persons whom it is not strictly correct to address thus. What is the meaning of saying that all these titles should not be used? May I entreat the Assembly to allow these people who are already calling themselves doctors, to go on calling themselves so. Let us allow it for this generation. We need not take away that unnecessarily.

RAO BAHADUR DR. T. S. TIRUMURTI: I do not think the principle of the Bill has been understood. Nobody prevents any person being called a doctor by somebody else. There are so many titles used now-a-days like the F. R. C. H., M. S. H. and so on. These things should be

[Rao Bahadur Dr. T. S. Tirumurti.]

stopped and must be stopped. We do not want them to use titles which are unauthorised by any Government and are not issued by any registered body.

MR. E. SUBRAMONIA AIYAR; Sir, is the title of a doctor so very sacred that it should be protected at all costs? I am only pointing out that there is already a provision that medicine should not be practised without registration.

RAO BAHADUR DR. T. S. TIRUMURTI; The object of the Bill is also not to allow people to hoodwink the public by assuming bogus titles.

MR. K. G. KUNJUKRISHNA PILLAI: I am afraid my friends are making a mistake. Under this Clause, nobody who calls himself a doctor is penalised. Only when he assumes titles, he is punished. For instance, supposing I call myself K. G. Kunjukrishna Pillai, M. A, M. L. when I do not actually have that title, I am punishable. There is no objection to one's calling himself a doctor or thirumeni or swami.

MR. E. SUBRAMONIA AIYAR: Even the Penal Law has not gone so far as to say that calling oneself all these is punishable.

MR. M. R. NARAYANA PILLAI: I want to ask the honourable Legal Remembrancer one question. Supposing his name at present is K. G. Kunjukrishna Pillai M. A., M. L., and if any provision in any legislation of this kind were to disentitle him from using that title again, will it not go against his prestige, which he has enjoyed till now?

PRESIDENT: Take his name itself. His name is K. G. Kunjukrishna Pillai, K. G. is the highest order of the British Empire. Supposing he is called Kunjukrishna Pillai K. G., has that the connotation usually associated with that title?

MR. M. R. NARAYANA PILLAI: Let those who have the title use the titles. Let them not be asked to take off their hats.

MR. K. S. SEBASTIAN: (*Changanacherry cum Peermade*): I oppose the amendment. A certain set of people have been allowed to blackmail the public by arrogating to themselves titles which they do not deserve to possess. We are legislating for the betterment of the medical profession and if we are not going to eradicate this evil, where are we leading to? Therefore, my submission is that these dishonest persons who use false titles which are not theirs by right or which they do not deserve, must not be allowed to continue using them.

MR. M. R. NARAYANA PILLAI: May I know whether such a prohibition does not act as a bar on persons who were practising that profession till now?

MR. K. S. SEBASTIAN: But it is only now that we are taking cognisance of it as per the proposed legislation.

RAO BAHADUR DR. T. S. TIRUMURTI: The Ayurvedic physicians of Travancore do not assume such bogus titles and there is no registered association or private institution anywhere in the State for conferring titles. Only in the case of the Homeopathic profession, such titles can be found.

The amendment was put to vote and lost.

MR. N. NARAYANA KURUP: Sir, I demand a poll.

A poll was taken with the following result.

AYES—27.

1 Mr. M. Bhaskaran Nair
2 Mr. K. Dominic Joseph
3 Mr. S. Govinda Pillai
4 Mr. C. Jebamony Nadar
5 Mr. Kannanthodath Janardhanan Nair
6 Mr. C. M. Joseph
7 Mr. K. P. Kochukora Tharakan
8 Mr. Kaviyoor K. K. Kochukunju
9 Mr. Thamarappallil Kochuthommen
10 Mr. A. K. Kumaran Vaidyan
11 Mr. Thariathu Kunjithommen
12 Mr. P. Kunjukrishnan
13 Mr. K. Kunju Panickar
14 Mr. Varkala K. Madhavan
15 Mr. P. V. Mathai Chemparathy
16 Sahib Bahadur P. S. Mahomed
17 Mr. N. Narayana Kurup
18 Mr. S. Narayana Pillai
19 Mr. P. Narayana Pillai
20 Mr. M. R. Narayana Pillai
21 Mr. Codiveetil C. Ramankunju
22 Mr. M. Ramiah Pillai
23 Mr. C. Ramaswami Nadar
24 Mr. M. Sivathanu Pillai
25 Mr. E. Subramonia Aiyar
26 Mr. G. Velu Pillai
27 Sadasyatilaka T. K. Velu Pillai

NOES—30.

1 Mr. Kottalil P. Abraham
2 Mr. P. C. Adichan
3 Sahib Bahadur V. Chandamiah
4 Mr. S. Chattanatha Karayalar
5 Srimati K. Devaki Antharjanam
6 Mr. E. E. Pandarathil
7 Mr. M. L. Janardhana Pillai
8 Mr. Joseph Vithayathil
9 Mr. K. C. Karunakaran
10 Mr. T. C. Kesava Pillai
11 Mr. T. T. Kesava Sastri
12 Mr. Murukkumpuzha V. Kunjukrishnan
13 Sahib Bahadur M. K. Mackar Pillai
14 Mr. K. R. Narayanan
15 Mr. R. Narayanan Nambootiri
16 Srimati T. Narayani Amma
17 Mr. N. Ramakrishna Pillai
18 Mr. K. S. Sebastian
19 Mr. P. Sivarama Pillai
20 Mr. Puilyoor T. P. Velayudhan Pillai
21 Rajyasevapravina G. Parameswaran Pillai
22 Mr. K. G. Kunjukrishna Pillai
23 Mr. A. Lakshmi Narayana Ayyar
24 Dr. S. John
25 Mr. C. P. Gopala Panicker
26 Mr. I. C. Chacko
27 Mr. P. G. Narayanan Unnithan
28 Mr. A. S. Damodaran Asan
29 Mr. K. Madhava Knrup
30 Dr. H. Parameswaran

NEUTRALS—5.

1 Mr. K. G. Govindan
2 Mr. D. C. Joseph
3 Mr. N. R. Krishnan
4 Mr. Sahib Bahadur H. O. L. Marikar
5 Mr. N. Veloo Achari

PRESIDENT: For the amendment 27; against the amendment 30; neutrals 5. The amendment is lost.

The question that Clause 40 stand part of the Bill was put and carried. The clause was added to the Bill.

Clauses 41 to 44.

The question that clauses 41 to 44 do stand part of the Bill was put and carried. The clauses were added to the Bill.

MR. C. JEBAMONY NADAR: Sir I move the following Amendment:—

"In the schedule A, item No. 1, line 1, between the words "any" and "degree" insert the word 'medical'.

The amendment was put to vote and carried.

The question that Schedule A as amended do stand part of the Bill was put and carried.

Schedule A was added to the Bill.

MR. C. JEBAMONY NADAR: Sir I move the following amendment:

"In schedule B, add as item No. 5.
'—The Diplomas or Certificates issued by the All Travancore Sidha Vaidya Sangham, Munchira'."

In view of what has already transpired I think I need not make a speech. The Institution is in existence for some years. Our Dewan himself has opened the schools attached to this Sangham and some successful students received their Certificates from his own hands. The Bill recognises certain qualifications for all other systems but not for "Siddha". The Tamil Nad mainly relies on the Siddha system for medical help. The Ayurvedic Department and Government have not so far opened any School to teach this system. I hope therefore that the amendment would be accepted.

RAO BAHADUR DR. T. S. TIRUMURTI: All that I can say at the moment is that it cannot be immediately included in the schedule.

PRESIDENT: For instance, take the Tibi College in Delhi. There is difference of opinion about it. That issues diplomas. I was asked to deliver a convocation address There are certain things that I know of. But when there are institutions not known to any of us, no word could be said of them. The question is whether it is worthwhile to tag on institutions of unknown character. But I am guided by the opinion of the House in these matters.

RAO BAHADUR DR. T. S. TIRUMURTI: Almost all the institutions that are mentioned in the schedule have been recognised by other Governments as well. In view of that, I have no objection to that school being recognised.

PRESIDENT: All that I can say about the Tibi institution is, when I was there, I was given a certain amount of literature on the subject. The teachers I found there were also well qualified in that system and the number of persons studying were found to be normal. In passing, I may say that there were as many people in that college as there are in other colleges.

RAO BAHADUR DR. T. S. TIRUMURTI: Sir, however, this question may be left to the medical council to decide.

MR. T. C. KESAVA PILLAI: സർ, സിദ്ധവൈദ്യം പുതുതായി ഏർപ്പെടുത്തിയിട്ടുള്ള ഒന്നാണ്. ഇപ്പോൾ മുഞ്ചിറ ഒരു സിദ്ധവൈദ്യാശ്രമം സ്ഥാപിച്ച് അഭ്യസനം നൽകി വരുന്നുണ്ട്. ആ സ്ഥാപനം അതിന്റെ പൂർണ്ണമായ വളർച്ചയെ പ്രാപിച്ചിട്ടില്ല; പ്രാപിക്കുമെന്നു പ്രതീക്ഷിക്കാൻ ന്യായവും കാണുന്നില്ല. അതുകൊണ്ട് ബഹുമാനപ്പെട്ട ഗവൺമെന്റിൽ നിന്നും ദയവായി വേണ്ട ധനസഹായം ചെയ്തു അതിനെ ഒരു റെക്കഗ്നൈസ്ഡ് ഇൻസ്റ്റിറ്റ്യൂഷൻ ആക്കണമെന്നപേക്ഷിക്കുന്നു. തിരുവിതാംകൂർ ഗവൺമെന്റുവക ആയുർവേദകാളേജിൽ ഒരു ചെയർ ഇതിനു വേണ്ടി ഓപ്പൺ ചെയ്താലും തരക്കേടില്ല. ഇതാണു എന്റെ അഭിപ്രായം. അയ്യായിരം രൂപാ ഗവൺമെന്റിൽനിന്നും ഈ സ്ഥാപനത്തിനായി നൽകി സഹായിക്കണമെന്നു ഞാൻ പ്രത്യേകം അഭ്യർത്ഥിക്കുന്നു. അതു ശരിയായി നടത്തിക്കൊണ്ടുപോകാൻ സാധിക്കാത്തതു ധനദൗർല്ലഭ്യം ഒന്നുകൊണ്ടു മാത്രമാണു. അതുകൊണ്ടു ൫൦൦൦ രൂപ എങ്കിലും മൂലധനമായി കൊടുത്തു സിദ്ധവൈദ്യത്തെ ആത്മാർത്ഥമായി സഹായിക്കേണ്ടതു ഗവൺമെന്റിന്റെ കടമയാണു. ആ സ്ഥാപനം ഇപ്പോൾ ഒരു കൊച്ചുകുഞ്ഞു മാത്രമാണു. അതിനെ പുഷ്ടിയായി വളർത്തിക്കൊണ്ടുവരേണ്ട ചുമതല നമുക്കുണ്ടു. ഞാൻ മി: ജപമണിനാടാരുടെ പ്രമേയത്തെ പൂർണ്ണമായി അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. M. SIVATANU PILLAI: I beg to second the amendment. In this connection I would draw the attention of the Chair as well as the Government to Schedule D where it is seen included the 'Nair Hospital, Dental College, Bombay' for purposes of qualification in Dentistry. Sir, nobody knows anything, I dare say, about this institution. All that is reported about it, is only that it was a chemist and druggist shop in Bombay. Dr. Tirumurti also could not throw any further light on it. Well, that is included in the schedule. Whereas the All Travancore Siddha Vaidya Sanghom, Munchira is not included in the schedule and Dr. Tirumurti says it will not be included. Why, I ask, this institution at Munchira is the only one of its kind in the whole of Travancore, nay in the whole of Tamil Nadu, imparting tuition in Siddha treatment. It has been in existence for the last over 7 years. It is backed up by the Tamilian section of the people of

[Mr. M. Sivatanu Pillai.]

Travancore. Some time back, the Dewan visited the institution and distributed certificates of merit to successful students. It has a 3 years course. Its curriculum has been appreciated by the All-India Siddha Sanghom in British India and also been adopted in their institutions. The Travancore Government also has given recognition. Sir, to include this institution in the schedule has now become a matter of encouragement to this Tamil system. Yet. Dr. Tirumurti would include the unknown Nair Dental College, Bombay but not this known recognised institution at Munchira close by. He wants further inspection and scrutiny of this institution. Sir, it has been inspected and closely studied by competent experts from outside and appreciation has been expressed.

RAO BAHADUR T. S. TIRUMURTI: I did not say any further scrutiny is necessary.

MR. M. SIVATANU PILLAI: Well. What else does he want? It had a scrutiny once by competent persons. I cannot understand why the same institution should be scrutinised again.

PRESIDENT: I do not think there need be much discussion, because it may be that this Siddha Sanghom is a reputed institution and that it is favoured by a section of the community in the south. Its reputation may be strengthened by reason of recognition. But if it is found that it does not justify any of the concessions granted to it, there are provisions in the Bill to take away the concessions. I do not know, therefore, whether we should spend much time over this matter.

The amendment was put to vote and carried.

The question that Schedule B as amended do stand part of the Bill was put and carried.

The Schedule was added to the Bill.

The question that Schedule C do stand part of the Bill was put and carried.

Schedule C was added to the Bill.

SCHEDULE D

MR. K. G. GOVINDAN: Sir, I move—

In Schedule D, after "Nair Hospital, Dental College, Bombay" add the following:—

(*d*) the American College of Dental Science, Madras.

(*e*) the International Institute, Aligarh (U. P.)".

MR. M. SIVATANU PILLAI: Sir, I have seen that American institution which is housed near the Hindu Office via Mount Road, Madras. That is giving regular tuition and I myself have seen that.

MR. K. G. GOVINDAN: Sir, there are many institutions in Travancore have obtained the services of that American College. My submission is that persons who get themselves qualified from that institution, should be entitled to call themselves doctors.

The amendment was put to vote and lost.

Schedule E.

MR. P. KUNJUKRISHNAN: Sir, I move

> "In Schedule E, add after "America" or degrees or diploma obtained from (i) The Calcutta Homeopathic College and Hospital, Calcutta; (ii) The Central Homeopathic College, Calcutta; (iii) The Bengal Allens Homeopathic College; (iv) Dunham's College Calcutta."

PRESIDENT: Does the honourable member know any of these institutions ?

MR. P. KUNJUKRISHNAN: Yes, Sir. All these are given in the Baroda Medical Practitioner's Bill. In Indore also it is the same. There is also the fact that our medical council should have qualified medical men in all branches of medicine. Qualifications are given for Allopathic systems as also for certain other systems. So far as Homeopathy is concerned, there are no such qualifications prescribed. Hence my amendment.

PRESIDENT: Let the honourable member look into the schedule and be contented with what is given there. "All qualifications which may be recognised by the Government of Travancore, the British Indian Provinces or the General Medical Council of Great Britain or America" is the the text of the Schedule. Much to my shame I must say that I have never heard of this array of institutions. If proper evidence is produced as to their capacity for qualifying persons, I have no doubt they will be recognised by this Government. The honourable member, Mr. Kunjukrishnan, might have heard of these colleges. To me it appears this is a tall order. Anyway I am at the disposal of the House.

MR. K. G. GOVINDAN: Sir, I support the amendment. I myself have tabled such an amendment. I have studied about these institutions very well. I submit that I have been in this college—The Calcutta Homeopathic Medical College and Hospital, 265-266, Upper Circular Road, Calcutta. It has got a building of its own.

PRESIDENT: When was it started ?

MR. K. G. GOVINDAN: In 1885. I have got a prospectus of that college. "The Premier Public Homeopathic College in India with its own Hospital containing at present 85 beds, aided by the Corporation of Calcutta, affording facilities for Clinical Demonstration to its students. With the completion of the New Annexe, there will be a further addition about 16 beds bringing the total number of beds in the Hospital to 101.

The prospectus gives the curriculum of studies. The curriculum of study has been enlarged and has covered the entire field of a liberal Medical Education and includes Anatomy, Physiology Pathology, Bacteriology, Practice of Medicine, Midwifery, Surgery, Medical Jurisprudence, Hygiene, Physics, Chemistry and other collateral branches of Medical Science besides Homeopathic Materia Medica. Therapeutics, Homeopathic Philosophy and Repertory."

SADASYATILAKA T. K. VELU PILLAI: May I know whether any particular gentleman has signed the prospectus ?

MR. K. G. GOVINDAN: The prospectus is signed. I shall read an extract from the visitors book kept in the hospital.

PRESIDENT: The honourable member says that he has documents in his possession which would show that the hospital was started more than 55 years ago and that it has specialised in Anatomy, Physiology, Pathology, Bacteriology, etc. The question for the House to consider is whether this hospital should be included in the schedule.

RAO BAHADUR DR. T. S. TIRUMURTI: I think the various colleges which are mentioned here may be referred to the Medical Council. They will find out whether they should be included or not.

MR. E. SUBRAMONIA AIYAR: We know that it is an indigenous thing. We know its genesis and there are other institutions elsewhere coming up for recognition. We have to get materials to come to the conclusion whether it is an institution which requires recognition or not. This is a matter which should be considered by the committee.

PRESIDENT: The only question that the House will now vote upon is whether this particular institution shall be included in the schedule or whether the question shall be considered by the Medical Council.

The motion was put and lost.

Schedule (E) was put and carried.

MR. M. R. NARAYANA PILLAI: Sir, I move that the word "(Reverse)" in Form III may be deleted.

PRESIDENT: Yes, that may be done.

The motion was put and carried.

Preamble and Title.

The question that the Preamble and Title do form part of the bill was put and carried.

The Preamble and Title were added to the bill.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, I move that in sub-clause 1 of Clause (1) after the figure '111', the figure '9' may be inserted.

The amendment was put and carried.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, I move that the bill be passed.

MR. A. LAKSHMINARAYANA AYYAR: I second it.

The motion was put and carried.

The bill was passed.

PRESIDENT: A certain number of amendments have been accepted. The Legal Remembrancer will undoubtedly take the necessary care to see that these amendments are put in their proper places. He has got the power of correcting obvious mistakes, if any.

The House will now adjourn and meet again to-morrow at 12 noon.

The House adjourned at 6-10 P. M.

B. PARAMU,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS

OF THE

TRAVANCORE SRI MULAM ASSEMBLY

SECOND ASSEMBLY.

THIRTEENTH SESSION.

Friday, the 6th August 1943/21st Karkadakam 1118.

(OFFICIAL REPORT)

Vol. XXII—No. 13.

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Proceedings

of

THE TRAVANCORE SRI MULAM ASSEMBLY.

OFFICIAL REPORT.

SECOND ASSEMBLY.

THIRTEENTH SESSION.

Friday the 6th August 1943/21st Karkadakam 1118.

The Assembly met again in the Legislative Chamber, Public Offices at 12 noon with the Dewan-President in the Chair.

NEW MEMBERS.

The following members took the oath and signed the Rolls :—

1. Rajyasevapravina C. V. Chandrasekharan (*Pro-Vice Chancellor*)
2. Mr. A. Gopala Menon (*Director of Public Instruction*)
3. Mr. K. Subramonia Pillai (*Director of Agriculture*)
4. Mr. S. N. Ura (*Public Service Commissioner*)

QUESTIONS AND ANSWERS.

Lift Irrigation in Parur.

209. ***MR. K. P. KOCHUKORA THARAKAN** (*Kunnatnad* cum *Parur*): Will the Government be pleased:

(*a*) to state:

(i) whether cultivation through lift irrigation has been conducted at Karumaloor in Parur taluk as an experimental measure;

(ii) if so, the result thereof; and

(iii) the rate per unit at which electricity therefor was sold; and

(*b*) to lay on the table a statement showing the yield and expenditure for manure per acre of land cultivated:

(i) as advised by the Agricultural Department; and

(ii) in the customary manner by the people?

MR. I. C. CHACKO (*Chief Engineer, Roads, Irrigation and Miscellaneous*): (*a*) (i) Yes.

(ii) The result was satisfactory.

(iii) No charge for the energy was levied but water cess at the rate of Rs. 4 per acre was realised from the cultivators.

[Mr. I. C. Chacko.]

(b) The required information is furnished in the following statement so far as it relates to the year 1117.

	Yield per acre.	*Expenditure for manure per acre.*
(i) In respect of the area cultivated according to the advice of the Agricultural Department.	54 *paras* of paddy and 800 *mudies* of straw.	About Rs. 3
(ii) In respect of the area cultivated in the customary manner by the people.	44 *paras* of paddy and 495 *mudies* of straw.	About Rs. 1 1/2

MR. KOTTALIL P. ABRAHAM (*Muvattupuzha* cum *Devicolam*): May I know from the Government the total area cultivated according to the advice of the Agricultural Department?

MR. I. C. CHACKO: 980 acres.

MR. KOTTALIL P. ABRAHAM: May I know the total area cultivated in the customary manner by the people?

MR. I. C. CHACKO: The information is not available.

MR. KOTTALIL P. ABRAHAM: May I know whether the people refused to take the advice of the Agricultural Department?

MR. I. C. CHACKO: They did not act up to the advice of the Agricultural Department.

Mavelikara—Kayamculam Road.

210. ***MR. P. NARAYANA PILLAI** (*Mavelikara* cum *Kunnattur*): Will the Government be pleased to state:

(a) whether any amount was sanctioned for gravelling the Mavelikara-Kayamculam Road, *via.*, Earezha, Perungala, etc., in the Mavelikara taluk during the year 1118 M. E.

(b) if so, the amount sanctioned for the same;

(c) whether any amount was spent for that purpose; and

(d) if not, the reason for not doing so?

MR. I. C. CHACKO: (a) Yes.

(b) Rs. 1,000.

(c) No.

(d) The ryots have not surrendered the required lands and completed their portion of the work.

Paper.

211. ***MR. C. JEBAMONY NADAR** (*Kalkulam* cum *Vilavankod*): Will the Government be pleased to state whether Magistrates forward to the superior courts copies of judgments passed by them?

MR. K. G. KUNJUKRISHNA PILLAI (*Legal Remembrancer to Government*): Yes.

MR. C. JEBAMONY NADAR: May I know whether the Government thinks it expedient to continue this practice at the present time especially when there is paper scarcity?

MR. K. G. KUNJUKRISHNA PILLAI: It is highly necessary that Magistrates should send up their judgments for examination by the superior Courts.

A clerk in the Muvattupuzha Taluk Office.

212. ***MR. KOTTALIL P. ABRAHAM**: Will the Government be pleased to state:

(a) whether in the Muvattupuzha Taluk Office there is a clerk who is deaf to a considerable degree;

(b) whether he is being deputed to record statements to be given by parties and witnesses in puduval and poramboke cases;

(c) how long he has been in service in Muvattupuzha Taluk Office and in what section of the office work; and

(d) whether the Government had any occasion to enquire into his earnings during his term in the said office?

MR. G. NARAYANAN TAMPI (*Secretary to Government*): (a) There is one clerk who is short of hearing.

(b) No.

(c) Five years, in the Accounts, Miscellaneous, Puduval and Poramboke Sections.

(d) No.

Bridge across the Minachil River.

213. ***MR. P. V. MATHAI CHEMPARATHY** (*Minachil* cum *Thodupuzha*): Will the Government be pleased to state whether they have received any representation from the public of Minachil for constructing a bridge across the Minachil river at Palai?

MR. I. C. CHACKO: Yes.

MR. P. SIVARAMA PILLAI (*Minachil* cum *Thodupuzha*): May I know what action has been taken on the representation?

MR. I. C. CHACKO: An estimate has been prepared.

MR. P. SIVARAMA PILLAI: May I know whether any amount has been spent?

MR. I. C. CHACKO: It is not possible to give the information without notice.

English High Schools in Trivandrum.

214. ***MR. G. VELU PILLAI** (*Karunagapalli* cum *Kartikapalli*): Will the Government be pleased to state:

(a) the names of the English High Schools in Trivandrum;

(b) the strength of each of these schools at present; and

(c) the strength of each of these schools in 1115, 1116 and 1117 respectively?

MR. A. GOPALA MENON (*Director of Public Instruction*): A statement furnishing the Information asked for by the member is laid on the Secretary's table.

Students from the backward communities in the Law College.

215. ***MR. T. T. KESAVAN SASTRI** (*Nominated*): Will the Government be pleased to state whether there are students belonging to backward communities studying in the Law College, Trivandrum, and if so, the castes to which they belong?

RAJYASEVAPRAVINA C. V. CHANDRASEKHARAN (*Pro-Vice-Chancellor*): No list according to castes is maintained.

Results of the University Examinations.

216. ***MR. K. KUNJU PANICKAR** (*Mavelikara cum Kunnattur*): Will the Government be pleased to lay on the table a statement of the results as disclosed in the public examinations held during the academic years of 1941 to 1942 and 1942 to 1943 from the various colleges under the Travancore University pointing out (i) the number of students attending in the various classes (ii) those sent up for the examinations, (iii) the percentage of students passed, and (iv) the number of students who have secured distinctions?

RAJYASEVAPRAVINA C. V. CHANDRASEKHARAN (*Pro-Vice-Chancellor*): The statement is laid on the Secretary's table.

Malavelan, Varnavavelan and Bharathavelan.

217. ***MR. KAVIYOOR K. K. KOCHUKUNJU** (*Nominated*): Will the Government be pleased to state whether Malavelan, Varnava Velan and Bharatha Velan are included in the term 'Velans', the fourteenth in the list of Backward Communities on page 5 of the Administration Report for 1117 of the Department for the Uplift of the Backward Communities?

MR. G. NARAYANAN TAMPI (*Secretary to Government*): The answer is in the negative.

MR. KAVIYOOR K. K. KOCHUKUNJU: എന്റെ ഈ ചോദ്യത്തിൽ പറയുന്ന മൂന്നുകൂട്ടരും അന്യസമുദായക്കാരും പരസ്പരം ബന്ധമില്ലാത്തവരും വളരെ അകന്നു ജീവിക്കുന്നവരുമാണെന്ന് ബഹുമാനപ്പെട്ട മെംബക്ക് അറിയാമോ?

MR. G. NARAYANAN TAMPI: അവർ അകന്നു ജീവിക്കുന്നവരാണോ എന്നും, ഒന്നിച്ചു ജീവിക്കുന്നവരാണോ എന്നും ഗവണ്മെന്റിനറിവില്ല.

Interviews by the Public Service Commissioner.

218. ***MR. N. NARAYANA KURUP** (*Ambalapuzha cum Shertala*): Will the Government be pleased to state:

(*a*) whether the candidates are given an opportunity by interviews at the office of the Public Service Commissioner to know their chance of appointments;

(*b*) if so, whether candidates from certain communities are denied that privilege by the office saying that they have no chance for ten years as they belong to that particular community; and

(c) whether any community is denied the chance of recruitment to the public service in the ratio agreed to by the representatives of the communities in the Joint Session of the Legislature on a previous time?

MR. S. N. URE (*Public Service Commissioner*): (a) Yes.

(b) No.

(c) No.

Castes not included among the Backward Communities.

219. *MR. T. T. KESAVAN SASTRI: Will the Government be pleased to state the castes which are not included among the backward communities but which apply for being so included?

MR. G. NARAYANAN TAMPI:

(i) Varnavas.
(ii) Mannans. (മണ്ണാൻ)
(iii) Thandan.
(iv) Thachan.
(v) Kammalas.
(vi) Naickens.
(vii) Chemman.

MR. T. T. KESAVAN SASTRI: ഇത്തരം കാരുണ്യപ്രവർത്തനങ്ങൾക്കായി പിന്നോക്കസമുദായങ്ങളുടെ പ്രവർത്തകസംഘടന, ഗവണ്മെൻറിനോടും പിന്നോക്കസമുദായസംരക്ഷകനോടും അത്യന്തം കൃതജ്ഞരാണെന്നുള്ള സംഗതി അവരെ അറിയിക്കുവാൻ ബഹുമാനപ്പെട്ട മെമ്പർക്ക് ദയവുണ്ടാകുമോ ?

MR. G. NARAYANAN TAMPI: അവരെ വിശേഷിച്ചു അറിയിക്കേണ്ട ആവശ്യമൊന്നുമില്ല. ഗവണ്മെൻറിനും ഗവണ്മെൻറിന്റെ ആൾക്കാർക്കും ബോധ്യമുള്ള ഒരു സംഗതിയാണിത്.

MR. KAVIYOOR K. K. KOCHUKUNJU: അവർണ്ണസമുദായക്കാരെക്കാൾ സാക്ഷരത്വം കുറവുള്ള മററു സമുദായക്കാരെക്കൂടി അവശസമുദായ പട്ടികയിൽ ഉൾപ്പെടുത്തുവാൻ ഗവണ്മെൻറിന് ദയവുണ്ടാകുമോ ?

MR. G. NARAYANAN TAMPI: ഒരു സമുദായം അവശസമുദായത്തിൽ ഉൾപ്പെടുമോ ഇല്ലയോ എന്നുള്ളത് ഏതാനും ചില തത്വങ്ങൾ അനുസരിച്ചാണു നിർണ്ണയിക്കുന്നത്. ആ തത്വത്തിലുൾപ്പെടുന്നയാളുകൾ, ആ തത്വങ്ങളുടെ പരിധിയിലുൾപ്പെടുന്നയാളുകൾ, തന്നത്താനെ അവശസമുദായങ്ങളുടെ ഗണനയിൽ പെടുന്നതാണ്. ഇതിൽ കൂടുതലായൊന്നും ഇപ്പോൾ പറയുവാൻ നിവൃത്തിയില്ല.

MR. KAVIYOOR K. K. KOCHUKUNJU: ആ തത്വങ്ങളുടെ കൂട്ടത്തിൽ സാക്ഷരത്വം കൂടി ഉൾപ്പെടുകയില്ലേ ?

MR. G. NARAYANAN TAMPI : സാക്ഷരത്വം, ജീവിതക്രമം, ആദായമാർഗ്ഗങ്ങൾ ഇവയെല്ലാം അതിലുൾപ്പെടും.

Priority of application for recruitment to public service.

220. ***MR. N. NARAYANA KURUP** : Will the Government be pleased to state :

(*a*) whether the applicants of the same community with the same qualification are recruited to the public service before such applicants of the same community with the same qualification who have registered earlier than the former group ;

(*b*) whether there is any case in which such a case has arisen : and

(*c*) whether applicants who have registered after 1938 are recruited before the applicants who have registered in 1937 and 1938?

MR. S. N. URE : (*a*) Sometimes, as priority of registration is not the criterion for determining seniority for purposes of recruitment.

(*b*) There will be many such instances.

(*c*) Quite likely.

MR. N. NARAYANA RURUP : With reference to part (b) of the answer may I know from the honourable member why the rule is deviated when an applicant of the same qualifications for a particular job has applied sufficiently early, another applicant with the very same qualifications who has applied later gets the prior chance ?

MR. S. N. URE : The reason is that the date of registration is not the criterion for appointment, if one is older than the other he will be appointed.

MR. N. NARAYANA KURUP : Suppose there are two applicants with the same qualifications for appointment. May I know whether an applicant applying lately will have a chance of recruitment before the applicant who applied early ?

MR. S. N. URE : If he is older than the first applicant he will be appointed first.

MR. N. NARAYANA KURUP : What will be the nature of selection if they are of the same age ?

S. N. URE : If they are of the same date and of the same year then they will be appointed in alphabetical order.

Irrigation Scheme at Mampazhathane.

221. ***MR. T. C. KESAVA PILLAI** (*Kalkulam cum Vilavankod*) : Will the Government be pleased to state whether they have received any representation regarding the construction of an irrigation scheme at Mampazhathane near Villukuri at about the head works of the Erattakari Channel in the L. B. C. ?

MR. I. C. CHACKO : Yes.

MR. T. C. KESAVA PILLAI : നാഗർകോവിലിൽ വാട്ടർവക്ക്സിനു വേണ്ടി എസ്റ്റിമേററ് എടുത്ത കൂട്ടത്തിൽ വില്ലിക്കുറിയിൽ ഒരു അണ കെട്ടുന്നതിനുള്ള എസ്റ്റിമേററുകൂടി തയ്യാറാക്കിയിട്ടുള്ളതായി മെംബർക്ക് അറിയാമോ ?

MR. I. C. CHACKO : അറിയാം.

MR. T. C. KESAVA PILLAI : ആ അണ കെട്ടിയിരുന്നെങ്കിൽ അവിടത്തെ കൃഷിക്ക് ആവശ്യമുള്ള വെള്ളം കൊടുക്കുവാൻ കഴിയുമായിരുന്നില്ലേ ?

MR. I. C. CHACKO : ഈ പണികൊണ്ട് അവിടത്തേക്ക് ആവശ്യമുള്ള വെള്ളം കിട്ടുകയില്ലെന്നു കണ്ടതിനാൽ പണി തുടങ്ങിയില്ല.

MR. T. C. KESAVA PILLAI : കുടിക്കുവാനുള്ള വെള്ളം കിട്ടുകയില്ലാ എന്നല്ലാതെ കൃഷിക്കാവശ്യമുള്ള വെള്ളം കിട്ടുകയില്ലേ ? അതായത് ഈ അണ കെട്ടുന്നപക്ഷം ഏകദേശം രണ്ടായിരം ക്യൂബിക്കടി വെള്ളം അവിടത്തെ കൃഷിക്കായി ഉപയോഗിക്കാം എന്നു കണക്കാക്കിയിട്ടില്ലേ ?

MR. I. C. CHACKO : എസ്റ്റിമേററ് എഴുപത്തയ്യായിരം രൂപയാണ്. അത്രയും തുക ചെലവാക്കി പണി നടത്തിയാൽ കിട്ടുന്ന വെള്ളം തുച്ഛമായിരിക്കും.

MR. T. C. KESAVA PILLAI : എഴുപത്തയ്യായിരം രൂപകൊണ്ട് പണിതെടുക്കുന്ന ഒരു കുളത്തിൽനിന്നു കിട്ടുന്ന വെള്ളത്തെക്കാറം കൂടുതൽ വെള്ളം ഈ പണികൊണ്ട് കിട്ടുവാൻ സാദ്ധ്യതയുണ്ടെന്ന് മെംബർക്ക് അറിയാമോ ?

MR. I. C. CHACKO : അറിയാൻ പാടില്ല.

Irrigation facilities for lands near Thazhakkudi.

222. *MR. C. RAMASWAMY NADAR (*Tovala cum Agastisvaram*) : Will the Government be pleased to state :

(*a*) whether the water from the Olakkiri falls near Kadukkari in Tovala taluk flows along the Aluthurai river up to Thazhakkudi and then joining the Pazhayar there eventually falls into the sea without being of any use for cultivation ;

(*b*) whether the lands near Thazhakkudi have been surveyed, when Mr. Natesa Aiyar was the Executive Engineer at Nagercoil, with the object of extending southward the above-said water flow from Thazhakkudi ;

(*c*) what steps have been taken till now regarding the same ; and

(*d*) whether the extension of the above-said water flow from Thazhakkudi to reach Puthanar would result in the conversion of housands of single crop fields into double crop fields and thousands of puncha fields into nancha fields in the area between Tovala channel and Puthanar ?

MR. I. C. CHACKO: (*a*) The water from Olakaruviyar does not flow along Alathurayar.

(*b*), (*c*) and (*d*) Do not arise in view of the answer to part (*a*).

Students from the Backward Communities in the University College.

223. * **MR. T. T. KESAVAN SASTRI**: Will the Government be pleased to state the number of students from among each of the Backward Communities in the University College this year?

RAJYASEVAPRAVINA C. V. CHANDRASEKHARAN: A statement containing the information required is laid on the Secretary's table.

Lift Irrigation Scheme in North Travancore.

224. * **MR. K. R. NARAYANAN** (*Vaikom cum Kottayam*): With reference to the Lift Irrigation Scheme in North Travancore, will the Government be pleased to state:

(*a*) the total extent in acres;
(*b*) the cost for cultivation of one acre; and
(*c*) the yield from one acre?

MR. I. C. CHACKO: (*a*) 980 acres.

(*b*) Average cost to Government Rs. 23½ per acre.
Do. to ryots Rs. 12¼ per acre.

(*c*) Average yield 51·3 *paras* per acre.

MR. M. SIVATHANU PILLAI (*Tovala cum Agastiswaram*): With reference to part (b) of the answer may I know the nature of the expenditure the Government have to meet?

MR. I. C. CHACKO: The electrical line has to be extended and also we have to carry out certain civil works.

Rice Mills.

225. * **MR. G. VELU PILLAI**: Will the Government be pleased to state:

(*a*) whether, after the abolition of the rice mills in the State, they have any scheme to purchase the machines;

(*b*) if so, how many were thus purchased till now;

(*c*) the total cost involved on the same; and

(*d*) whether they have decided as to what they should do with regard to the machines so purchased?

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI (*Chief Secretary to Government*): (*a*) to (*c*) In connection with the prohibition of the milling of rice Government had announced that they were prepared to buy the mills that ceased operation if the owners were willing to part with them at a reasonable valuation. Offers were accordingly received from certain mill owners and their mills were inspected and valued. Two mills have already been purchased. Arrangements have been made for the payment of the amounts due to the other mill owners

according to the valuation made by Government, provided the valuation is acceptable to the owners concerned and the engine is useful for the purposes for which the purchase is made. The member is referred to the *Press Communique dated the 13th February 1943 and the *Press Note dated the 1st July 1943 on the subject, placed on the table.

(*d*) A scheme for the utilisation of the machines is under consideration.

Lemon Grass Oil.

226 *MR. KOTTALIL P. ABRAHAM : Will the Government be pleased to state :

(*a*) whether they have any information as to the use made of the lemon grass oil that is exported from the State :

(*b*) if so, what is its use ; and

(*c*) whether the lemon grass oil may be used for any purpose within the State ?

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI : (*a*) Yes.

(*b*) It is used in the manufacture of synthetic perfume of violets.

(*c*) It can be used in small quantities in soap manufacture.

**Vide* Appendix I & I A.

Appendix I.

Vide Answer to Question No. 225.

PRESS COMMUNIQUE.

It has been represented to the Government that the closure of the rice mills in pursuance of Notification R. O. C. No. 2477/42/C. F. S., dated the 1st February 1943, will work hardship on the people on account of the lack of trained labour to turn out as much work as the machines and the consequent shortage of rice production in the present situation. Government do not anticipate such hardships, but, on the contrary, expect that the scheme will serve to relieve unemployment to an appreciable extent in addition to bringing about many other advantages. If the proprietors of rice mills feel that the closure of the mills will result in loss to them consequent on the machines having to lie idle, Government are prepared to buy up all the machines and appurtenances at a valuation. Intending sellers of such machinery and appurtenances should apply to Government not later than the 28th February 1943. It may be borne in mind that the resumption of the work of the rice mills as such in future is not at all likely.

Huzur Cutcherry, (Sd.) G. PARAMESWARAN PILLAI,

Trivandrum, 13th Feb. 1943. *Chief Secretary to Government.*

Appendix I A.

Vide Answer to Question No. 225.

PRESS NOTE.

In connection with the prohibition of the milling of rice, Government had announced that they were prepared to buy the mills that ceased operation, if the owners were willing to part with them at a reasonable valuation. Offers have accordingly been received from certain mill-owners, and Government are conducting the preliminaries prior to carrying out the policy of purchase already announced. Most of the engines have been inspected and valuation statements have been received. Final orders will be issued with the utmost expedition.

Huzur Cutcherry,
Trivandrum, 1st July 1943.

(Sd.) L. G. PEREIRA,
Asst. Secretary to Government.

ANNOUNCEMENT BY THE PRESIDENT REGARDING THE RESULTS OF THE ELECTIONS TO COMMITTEES.

PRESIDENT: I have to announce the results of the elections held yesterday.

STANDING FINANCE COMMITTEE.

Messrs. M. L Janardana Pillai and P. Narayana Pillai who got the largest number of votes are declared elected to the Standing Finance Committee.

PUBLIC ACCOUNTS COMMITTEE.

Messrs. E. E. Pandarathil and C. M. Joseph who got the largest number of votes are declared elected to the Public Accounts Committee.

P. W. D. ADVISORY COMMITTEE

Messrs. M. Bhaskaran Nair, M. Sivathanu Pillai and M. Ramiah Pillai who got the largest number of votes are declared elected. For the fourth place there was a tie among Messrs. Dominic Joseph, S. Narayana Pillai, P. C. Adichan and K. R. Narayanan. On lot being cast, Mr. S. Narayana Pillai came out successful and he is therefore declared elected to the fourth place in the P. W. D. Advisory Committee.

SHORT NOTICE QUESTIONS.

Purchase of Paddy.

1. *MR. C. JEBAMONY NADAR: Will the Government be pleased to state whether order R. O. C. No. 11260/43/C. F. S., dated 16th July 1943, re: purchase of paddy during next harvest, modifies the provisions in the previous press Communiqûe dated 1st February 1943 to the effect that holders of lands whose total holdings are less than one acre in extent are not liable to sell to Government?

MR. A. S. DAMODARAN ASAN (*Food Grains Purchase Officer*): The G. O. is clear on the point. No holder of lands under paddy cultivation is exempted from liability to sell the prescribed quota.

Actual area under paddy

2. *MR. C. JEBAMONY NADAR: With reference to R. O. C. No. 11260/43/C. F. S. dated 16th July 1943, will the Government be pleased to state whether any and what steps have been taken to ascertain the actual area under paddy during the current season in the three southern taluks of Tovala, Agastisvaram and Kalkulam and also other taluks?

MR. A. S. DAMODARAN ASAN: The Tahsildars of the taluks have been directed to ascertain the same and prepare registers.

Recent statement by the Dewan.

3. *MR. C. JEBAMONY NADAR: Will the Government be pleased to state whether the necessary modification of the rules re: purchase of paddy have been issued in accordance with the statement of the Dewan to this Assembly during the general discussions of the Budget, to the effect that it is not the desire of Government to take the whole paddy without making sufficient provision for the means of subsistence, seeds for cultivation, etc., and that the idea is to take only the balance that may remain after giving what is necessary for the land holder and that it is not at all the intention of Government to prevent the man who cultivates lands from getting the legitimate fruit of his enterprise?

MR. A. S. DAMODARAN ASAN: No modifications are necessary to the existing rules. The Settlement Pattom is fixed after making due allowance for cost of cultivation, cultivators' share and land-holders' share. Due attention will be paid to essential and bonafide requirements of the producer before paddy in surplus of the minimum quota is purchased.

MR. C. JABAMONY NADAR: May I know whether the lease of the small land holders will be purchased from them when the Government are satisfied that the production is not sufficient for it?

MR. A. S. DAMODARAN ASAN: A minimum quota is prescribed in this case irrespective of the requirement of the party. At the same time a portion of the produce is given to the cultivator as his share and another portion to the land holder as his share from the gross produce, the minimum quota of Settlement Pattom being only the balance remaining after such deductions.

MR. K. KUNJU PANICKAR: May I know from the Government whether the dues allotted will be cleared from this area if there is a failure of crops, in the season?

MR. A. S. DAMODARAN ASAN: If there is a complete failure of crops it will not be collected.

LEGISLATIVE BUSINESS

THE TRAVANCORE DISPOSITION OF PROPERTY BILL.

PRESIDENT: We will now proceed with the legislative business. Mr. Legal Remembrancer.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, Mr. E. Subramonia Iyer has to propose the names for the Joint Committee on the Travancore Disposition of Property Bill.

MR. E. SUBRAMONIA IYER; (*Nominated*) Sir, I move that the following members may be nominated to the Joint Committee on the Travancore Disposition of Property Bill.

MR. S. CHATTANATHA KARAYALAR (*Deputy President*) Sir, I rise to a point of Order. I was referring to the proceedings of the Assembly on this Bill. I find that the only motions that were carried were that the Bill be read in the Assembly and that the Bill be referred to the other Chamber. The motion that the Bill be referred to a Joint Committee is not proper at this stage. Under Rule 51, if the motion that the Bill be referred to a Joint Committee be passed by this House, then it must be concurred in by the other House and the motion for the constitution of a Joint Committee may be made thereafter. I therefore raise the question whether Mr Subramonia Iyer's motion is in order.

MR. K. G. KUNJUKRISHNA PILLAI: Speaking subject to correction, I may say that the motion came from the other House. Mr. Narayana Iyer moved that the bill be referred to a Joint Committe. That was put and carried. So this is in order.

PRESIDENT: The position that has developed is this. When the question that the bill be taken into consideration was put before the House last time, in the course of discussion it was discovered that it would be well, having regard to the legislative projects in both Houses that a Joint Committee go into the Bill. The bill will have to come, before the House and then the motion for the constitution of the Joint Committee has to be made. I leave it entirely to the House whether this motion should be made just now.

The House agreed.

MR. S. CHATTANATHA KARAYALAR: To make the matter clear, Sir, I think there should have been a message to this House from the other House. I want to know whether this motion is made on the basis of such a message from the other House.

PRESIDENT: The Secretary to the Assembly read that message here. He stated that the Sri Chitra State Council has decided to form a Joint Committee on the Travancore Disposition of Property Bill and conveyed the message to this House that this House also elect members to that Committee.

MR. E. SUBRAMONIA AIYAR: I move that the following gentlemen be nominated as members of the Joint Committee from this Assembly:

Messrs.
T. K. Velu Pillai,
K. G. Kunjukrishna Pillai,
M. R. Narayana Pillai,
K. P. Abraham,
G. Velu Pillai,
P. S. Muhammed, and myself

MR. M. R. NARAYANA PILLAI: I second the motion.

The motion was put and carried.

THE TRAVANCORE KAMMALA (VISWAKARMA) BILL.

MR. N. VELU ACHARY (*Nominated*): Sir, I beg to move the following motion:

That this Assembly do select an equal number of persons to the Joint Committee on the Travancora Kammala (Viswakarma) Bill.

MR. C. M. JOSEPH (*Changanacherry* cum *Peermade*): I second the motion.

MR. S. CHATTANATHA KARAYALAR: On a point of order, Sir. This bill was passed by this House a long time ago and it might have been passed by the other House or might be there at present. The other House is seised of the matter and this House has no knowledge as to the fate of the Bill. There is no message from the other House asking this House to elect an equal number of members for the Joint Committee.

MR. K. G. KUNJUKRISHNA PILLAI: I submit for a ruling, Sir, whether a message is necessary in the circumstances of this Bill. It was committed to a Joint Committee under Section 21 of the Act. There is no motion from the other House but the other House has failed to pass the Bill. In such a case, a message is not provided for either in the Rules or Standing Orders.

MR. S. CHATTANATHA KARAYALAR: I should like to know whether the appointment of a Joint Committee is within the power of this House at this stage when the other House is seised of the matter. It is possible only when the other House has disposed of it or failed to dispose of it and asked for a Joint Committee.

MR. K. G. KUNJUKRISHNA PILLAI: The bill has been referred to a Joint Committee by the Dewan under Section 21 of the Act.

PRESIDENT: That is so. Mr. Velu Achary will proceed.

MR. N. VELU ACHARY: I move that the Assembly do select an equal number of persons to the Joint Committee on the Travancore Kammala (Viswakarma) Bill, namely, the following members:

Messrs.
E. Subramonia Iyer,
T. K. Velu Pillai,
S. Govinda Pillai,
N. Ramakrishna Pillai,
P. Kunjukrishnan,
K. P. Kochukora Tharakan,
M. Bhaskaran Nair,
Varkala K. Madhavan,
C. M. Joseph,
N. R. Krishnan,
D. C. Joseph,
G. Velu Pillai,
V. K. Kumaran Vaidyan
N. Velu Achary and
Sry. Narayani Amma.

MR. C. M. JOSEPH: I second it.

MR. M. L. JANARDANA PILLAI (*Nominated*): Mr. G. Nilakantan may also be included.

PRESIDENT: He is not a member of this House. He is a co-opted member of the other House and he comes into the Joint Committee from there.

The motion was carried.

THE TRAVANCORE SPECIAL MARRIAGE AND SUCCESSION BILL

PRESIDENT: Before dealing with the next matter, it may be useful to point out exactly what has happened in the case of the Special Marriage and Succession Bill till now. On the 20th April 1936 leave was granted to introduce the Bill in the Assembly, the mover being Mr. Kottoor Kunjukrishna Pillai. The Bill lapsed on the dissolution of the first Assembly. On the 13th February 1939, the second Assembly allowed Mr. T. P. Velayudhan Pillai to take charge of the Bill. On the 2nd April 1941, the Select Committee was appointed and on the 5th August 1941 the Assembly passed the Bill. On the 16th August 1941 the bill was taken up for consideration by the Council. On the 9th December 1941 the Concil countinued the consideration of the Bill. On the 8th August 1942 the Council passed the Bill. On the 26th January 1943 the Dewan returned the Bill to the Assembly under Section 22 of the Act for reconsideration. Mr. Legal Rememberancer.

MR. K. G. KUNJUKRISHNA PILLAI: Sir, on the return of the bill for the consideration of this House, I submit that it is open to the House to consider the whole bill. The Dewan President made a statement to the House and it was pointedly made clear that the Government wanted a full expression of opinion in so far as it would be possible to reconcile the interest of minorities and others. Therefore I submit that the whole Bill may be taken into consideration.

PRESIDENT : In order to clarify the position and in order to see that the course of discussion takes place in accordance with the rules, may I read what was stated by me in the Assembly on the 26th January 1943 :

* * *

"What is the Government's duty at this juncture? This Government do not propose in matters of social legislation to vote or take any part or side in the actual voting in regard to the principles or details of such a Bill. It might be urged in opposition to such a course that if that course were adopted it would be putting a premium on the majority community to carry on legislation ignoring the rights of the minority communities which are very extensively represented on the floor of the House. I think that the very best that the Government could do, and propose to do, is to recommit this Bill for the consideration of this House so that every minority community might once again say all that has been said over and over again, so that they might feel that their point of view has been put forward thoroughly and has been fully and anxiously cogitated upon by this House, and after giving arguments and counter arguments, this House might decide as it deems fit. But Government members will not take part in the voting. I have decided to recommit this Bill for the re-consideration of this House."

(Vol. XXI No. 2—page 109.)

MR. K. G. KUNJUKRISHNA PILLAI : Mr. T. P. Velayudhan Pillai was the sponsor of the Bill. He has therefore to begin the next step.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI (*Tiruvalla*) : Sir, I move that the Bill be taken into consideration. The two amendments made by the Council may also be accepted by the House.

MR. M. L. JANARDANA PILLAI : I second it,

The motion was put and carried.

The question that clause 1 stand part of the bill was put and carried. The Clause was added to the bill.

Clause 2.

MR. P. S. MUHAMED (*Quilon cum Kottarakara*) : I move the following amendment :

In Clause (2), after 2, insert (*a*) within brackets, and after the clause, insert the following as sub-clause (*b*) :—

"(b) Notwithstanding anything contained in the Act, the provisions of this Act will not apply to the Muslims."

MR. P. S. MUHAMED : സർ, ഈ ഭേദഗതി ഞാൻ ഇവിടെ അവതരിപ്പിച്ചുകൊള്ളുന്നു. ഈ സഭയുടെ പുനരാലോചനക്കായി ഈ ബിൽ വീണ്ടും ഇവിടെ അവതരിപ്പിച്ചതിൽ ഞാൻ ഗവൺമെന്റിനോടു അതീവ കൃതജ്ഞതയുള്ളവനായിരിക്കുന്നു. ദിവാൻജി അവർകളുടെ പ്രസംഗത്തിൽനിന്നുതന്നെ ഇവിടത്തെ മൈനാർട്ടി സമുദായത്തിനുള്ള രക്ഷ മെജാർട്ടി സമുദായത്തിന്റെ ആനുകൂല്യത്തിലാണു് സ്ഥിതിചെയ്യുന്നതെന്നുള്ളതു് സ്പഷ്ടമായിട്ടുണ്ടു്. സർ, ആ അഭിപ്രായത്തിൽ ഞാനും പരിപൂർണ്ണമായി യോജിക്കുന്നു. അതുകൊണ്ടുതന്നെയാണു് ഇവിടത്തെ ഒരു മൈനാർട്ടി

[Mr. P. S. Muhamed]

സമുദായമായ മുസ്ലീം സമുദായത്തിനു ഈ ബില്ലിലെ ഏതാനും ചില തത്വങ്ങളെ സംബന്ധിച്ച് ഉണ്ടായിട്ടുള്ള സങ്കടങ്ങൾക്കു നിവൃത്തിമാർഗ്ഗമുണ്ടാകുവാനായി ഇവിടത്തെ മെജാർട്ടി സമുദായങ്ങളുടെ കാരുണ്യത്തെ വീണ്ടും അഭ്യർത്ഥിച്ചുകൊണ്ടു ഇപ്രകാരം ഒരു ഭേദഗതി അവതരിപ്പിക്കുവാൻ ഞാൻ തുനിയുന്നതു്. വിവിധസമുദായങ്ങൾ തമ്മിൽ പരസ്പരം വിവാഹബന്ധത്തിൽ ഏർപ്പെടുന്നതിനെ അനുകൂലിക്കുന്ന ഒരു നിയമം ഈ രാജ്യത്തു ആവശ്യമാണെന്നുള്ള കാര്യത്തിൽ എനിക്കു ഒരഭിപ്രായവ്യത്യാസവുമില്ല. അനേകകാലമായി തിരുവിതാംകൂറിൽ ഹിന്ദുസമുദായങ്ങളുടെയിടയിൽ ഉണ്ടായിരുന്ന ജാതിവ്യത്യാസത്തെ നിശ്ശേഷം നീക്കി ഈ സംസ്ഥാനത്തെ മിക്കവാറും സ്വർഗ്ഗതുല്യമാക്കിത്തീർത്ത ഒരു വിളംബരംമൂലം മഹാരാജാവു തിരുമനസ്സുകൊണ്ടു ആ സമുദായത്തെ പൊതുവെ അനുഗ്രഹിച്ചതിനുശേഷം ഇങ്ങനെയുള്ള ഒരു ബിൽ അത്യന്താപേക്ഷിതമാണെന്നുള്ളതിൽ ആർക്കും പക്ഷാന്തരമില്ല. എന്നാൽ വളരെക്കാലം മുൻപു, ഇപ്രകാരമുള്ള വ്യത്യാസങ്ങളെല്ലാം നീങ്ങുന്നതിനു മുൻപായി ജാതീയമായും മതപരമായും ഉള്ള പലവിധ പ്രതിബന്ധങ്ങളും സമുദായങ്ങൾ തമ്മിൽ വിവാഹബന്ധത്തിൽ ഏർപ്പെടുത്തുന്നതിനുണ്ടായിരുന്ന ഒരു ഘട്ടത്തിൽ സമുദായങ്ങൾ പൊതുവെ ഒരു വ്യത്യാസവും ഇല്ലാ എന്ന ഒരു ഗണനയെ പരിഗണിക്കുന്ന ഇത്തരത്തിലുള്ള ഒരു ബിൽ പര്യാലോചനക്കെടുക്കുവാൻ ആരും തയ്യാറായിരുന്നില്ല. അതുകൊണ്ടാണ് ആ ഉദ്യമത്തിന് ഇതിനുമുൻപു ആരും തയ്യാറാകാഞ്ഞതു്. ഈ സന്ദർഭത്തിൽ വിദ്യാഭ്യാസത്തിൽ മുൻപോട്ടു വരികയും സാമുദായികമായി ഉയന്ന സ്ഥാനത്തു വരികയും ചെയ്തിട്ടുള്ള സമുദായങ്ങൾ ഇങ്ങിനെയുള്ള ബില്ലുകളെ സ്വാഗതംചെയ്കതന്നെ ചെയ്യും. മുസ്ലീങ്ങളെ സംബന്ധിച്ചു പറയുകയാണെങ്കിൽ ഇവിടത്തെ മുസ്ലീങ്ങൾ പൊതുവെതന്നെ ഇപ്രകാരമുള്ള മതവിരുദ്ധമായ ഒരു വിവാഹത്തിൽ ഉൾപ്പെടുന്ന സംഗതിയിൽ അവർ അനുകൂലികളല്ല. വ്യക്തിപരമായി ഒന്നോ രണ്ടോ പേർ ഉണ്ടായി എന്നു വരാം. എന്നാൽ സമുദായത്തിന്റെ പൊതുവായ അഭിപ്രായത്തെ ആദരിക്കേണ്ടതു് ഈ സമുദായത്തിൽ ഉൾപ്പെട്ട മെമ്പർമാരുടെ ഒരു ചുമതലയാണു്. ഇവിടത്തെ മുസ്ലീങ്ങളെ സംബന്ധിച്ചിടത്തോളം ഈ ബിൽ അവരെ ബാധിക്കരുതെന്നു അഭിപ്രായമുള്ളവരാണു്. അവർ ആ അഭിപ്രായം രേഖപ്പെടുത്തുകയും ചെയ്തിട്ടുണ്ടു്. മുസ്ലീം മജ്‌ലിസ്, മുസ്ലീം

ലീഗ എന്നീ പല സമുദായസംഘടനകളും ഇതുസംബന്ധിച്ച പ്രമേയങ്ങൾ പാസാക്കി അയച്ചിട്ടുണ്ട്. അതുകൊണ്ടുതന്നെ ഈ ബില്ലിനെ സംബന്ധിച്ച സമുദായത്തിന്റെ പൊതുവായ അഭിപ്രായം ഇന്നതാണെന്നു വ്യക്തമാക്കിക്കഴിഞ്ഞിരിക്കുന്നു. അവരുടെ ഏകോപിച്ച അഭിപ്രായത്തെ ഒന്നുകൂടി ബഹുമാനപ്പെട്ട മെമ്പറന്മാരുടെ ശ്രദ്ധയിൽ കൊണ്ടുവരുന്നതിനാണ് ഞാൻ ആഗ്രഹിക്കുന്നത്. ഈ ബില്ലിനെ സംബന്ധിച്ച് ദിവാൻ പ്രസിഡന്റ് അവർകളുടെ വിശദീകരണംകൊണ്ട് ഈ ബില്ലിൽ ശ്രദ്ധിക്കേണ്ടതായ സകല ഭാഗങ്ങളും വന്നിട്ടുണ്ട്. ഒന്നാമതായിട്ട് ഞാൻ ആദ്യം പറഞ്ഞ മതപരമായ സംഗതികളാണ്. പൊതുവെ സമുദായത്തിന്റെ അഭിപ്രായത്തിന് എതിരായി എന്തെങ്കിലും കൊണ്ടുവരികയെന്നുള്ളതു സമുദായങ്ങൾതമ്മിലുള്ള സൗഹാർദ്ദത്തിനു ഭംഗംവരികയും ന്യൂനപക്ഷം ഭൂരിപക്ഷത്തെ വിശ്വസിച്ചു പ്രവർത്തിക്കുന്നു എന്നുള്ള രംഗത്തിനു തടസ്സമുണ്ടാകുകയും ചെയ്യുന്നതാണ്.

MR. T. C. KESAVA PILLAI: മതത്തിനും ഈ ബില്ലിനും തമ്മിൽ വല്ല ബന്ധവുമുണ്ടോ ?

MR. P. S. MUHAMED: ദിവാൻ പ്രസിഡന്റ് അവർകളുടെ വിശദീകരണം വായിച്ചാൽ സംഗതികൾ വ്യക്തമായി മനസ്സിലാക്കാൻ കഴിയുന്നതാണ്. ബ്രിട്ടീഷ് ഇൻഡ്യയിലാണെങ്കിൽ ഹിന്ദുക്കളും മുസ്ലിങ്ങളും തമ്മിൽ പരസ്പരം യോജിക്കാനുള്ള ഒരു രംഗം സൃഷ്ടിക്കുക എന്നുള്ളതാണ് അവരുടെ ശ്രമം.

MR. THAMARAPALLIL KOCHUTHOMMAN; ഈ ബിൽ പാസ്സാക്കുന്നതുകൊണ്ട് മഹമ്മദു മതത്തിലേക്കു കൂടുതൽ ആളുകളെ ആകർഷിക്കാൻ സാധിക്കയില്ലേ ?

MR. P. S. MUHAMED: മഹമ്മദ് മതത്തിൽ കൂടുതൽ ആളുകളെ ആകർഷിക്കണമെന്ന് ആഗ്രഹമില്ല. തിരുവിതാംകൂറിൽ മഹമ്മദ് മതത്തിൽ ആളുകളെ ചേർക്കുന്നതിനു പരിശ്രമിക്കുന്ന ഒരു പതിവില്ല.

MR. K. KUNJU PANICKER: തിരുവിതാംകൂറിലും ഇൻഡ്യയിലുമുള്ള ഒരു വൻപിച്ച ഭൂരിപക്ഷം ജനങ്ങൾ മററു മതങ്ങളിൽനിന്നും ഇസ്ലാം മതത്തിലേക്കു പരിവർത്തനം ചെയ്തവരല്ലേ?

MR. P. S. MUHAMED: അങ്ങിനെയുണ്ടെങ്കിൽത്തന്നെയും അവർ അവരുടെ ഹിതാനുസരണം പരിവർത്തനം ചെയ്തിട്ടുള്ളവരായിരിക്കണം.

MR. K. R. NARAYANAN : പത്മനാഭനാശാൻ എന്നൊരാളുടെ മകളെ ഒരു മുസ്ലീം വിവാഹം കഴിച്ചതായിട്ടു അറിയാമൊ?

MR. P. S. MUHAMED : പത്മനാഭൻആശാൻ കുറേക്കാലം മുഹമ്മദൻ ആയിരുന്നു. അങ്ങിനെയുള്ള ആളുകളെ ഈ കാര്യത്തിനു ഒരു മാതൃകയായിട്ടു എടുക്കാൻ പാടില്ല.

MR. M. R. NARAYANA PILLAI : ഈ ബിൽ [illegible]സരിച്ചു മുസ്ലിം സമുദായത്തിലെ ഒരു സ്ത്രീയെ അമുസ്ലീം സമുദായത്തിലെ ഒരംഗം വിവാഹം ചെയ്യുന്നതായാൽ അതിനു എന്തെങ്കിലും ഒരു പ്രത്യേകവിരോധ[illegible]തിനു കാരണമുണ്ടോ?

MR. P. S. MUHAMED : അങ്ങനെ വിവാഹം ചെയ്യുന്നതിന് അനുവദിച്ചിട്ടില്ല.

MR. M. R. NARAYANA PILLAI: അങ്ങനെയാണെങ്കിൽ ഈ ബിൽ കൊണ്ടു ഉദ്ദേശിച്ചിരിക്കുന്നതു അതല്ലേ?

MR. P. S. MUHAMED : അതുകൊണ്ടാണ് ഞാൻ [illegible]റഞ്ഞതു്. മതം അനുവദിക്കാത്ത സംഗതിയിൽ ഒരു മുസ്ലീം സ്ത്രീയെ വേറൊരു.

... ...

MR. THAMARAPPALLIL KOCHTUHOMMEN : ഈയിടെ ഒരു മഹമ്മദീയ ഉദ്യോഗസ്ഥൻ ഒരു [illegible]സ്ത്യാനിസ്ത്രീയെ കല്യാണം കഴിച്ചതായി അറിയാമോ?

MR. P S MUHAMED : ദിവാൻ പ്രസിഡന്റ് അവർകളുടെ വിശദീകരണം വായിച്ചാൽ ഈ [illegible]ത്തിനു വകയില്ല.

PRESIDENT : I trust that honourable members will not press that aspect. The point is this. The honourable members who belong to a minority community may very well see that their particular advocacy on one occasion or in certain circumstances, has not proved as persuasive as they expected it to be. They hope to prove it and I am giving them another opportunity to have their say. Therefore, the majority communities will hear them and then make up their minds to deal with the question. As I have said, the Government are leaving the matter to the House.

MR. M. R. NARAYANA PILLAI : Sir, most of the points now urged by the honourable member have been adverted to on the previous occasion, so much so there is only a repetion of the arguments advanced by him.

PRESIDENT : But curiosity is perennial. I would suggest to the honourable member if he is at all anxious to refer to the Dewan President's statement, read it and then leave the matter to the House to decide on the merits. This is not a ruling, but only a suggestion.

MR. P. S. MUHAMED : സർ, മതപരമായ സംഗതികളിൽ കുറെക്കൂടി ശ്രദ്ധയോടും അനുകൂലമായ മനസ്ഥിതിയോടുംകൂടി പ്രവർത്തിക്കണമെന്നു മാത്രമാണ് എനിക്കു അഭ്യർത്ഥിക്കാനുള്ളതു്.

MR. KOTTALIL P. ABRAHAM : ഒരു മുസ്ലീംസ്ത്രീയെ ഒരു അമുസ്ലീം കല്യാണം കഴിക്കുകയും അതിൽ സന്താനങ്ങൾ ഉണ്ടാകുകയും ചെയ്താൽ അവർക്കു സ്വത്തിൽ അവകാശമുണ്ടോ?

MR. P. S. MUHAMED : കല്യാണമില്ലാതെ ഇങ്ങനെ ചില ആളുകൾക്കും സന്താനം ഉണ്ടാകുകയാണെങ്കിൽ അവർക്ക് എന്തവകാശമുണ്ടോ അതുപോലെയുള്ള അവകാശമേ മേൽപറഞ്ഞ സന്താനങ്ങൾക്കും ഉള്ളൂ. അതല്ലാതെ നിയമപരമായ വിധത്തിൽ വിവാഹം ചെയ്തിട്ടുള്ള ആളുകളുടെ സന്താനങ്ങൾക്കു ന്യായമായ അവകാശം സിദ്ധിക്കണമെന്നുള്ളതാണ് ഈ ബില്ലിന്റെ ഉദ്ദേശം. മതപരമായി നിലവിലിരിക്കുന്ന നിയമങ്ങളെ ആദരിച്ചു കല്യാണം നടത്തുന്ന സമുദായത്തിന് ഈ ബിൽ ദോഷമാണെന്നാണ് എന്റെ അഭിപ്രായം.

MR. M. R. NARAYANA PILLAI : വിവാഹം സംബന്ധിച്ചു മുസ്ലീം സമുദായത്തിന്റെ വ്യക്തിസ്വാതന്ത്ര്യം തടയണമെന്നാണോ മെമ്പറുടെ അഭിപ്രായം?

MR. P. S. MUHAMED : മുസ്ലീം ആയിരിക്കുന്ന കാലത്തോളം ഇസ്ലീം മതം അവന്റെ മതമായി കരുതുന്ന കാലത്തു എന്തും പ്രവർത്തിക്കുക എന്നുള്ള നില ഒരിക്കലും ആശാസ്യമല്ല.

MR. K. KUNJI PANICKER : തിരുവിതാംകൂറിന്റെ നാനാഭാഗങ്ങളിൽ നിയമം കൂടാതെ വളരെയാളുകൾ ഭാര്യാഭർത്താക്കന്മാരായി ജീവിക്കുന്നതായിട്ടറിയാമോ?

MR. P. S. MUHAMED : അങ്ങനെ ജീവിക്കുന്നവരെ എനിക്കു എണ്ണിനോക്കാൻ കഴിഞ്ഞിട്ടില്ല. ശരിയായ, അതായതു മതപരമായവിധത്തിൽ വിവാഹം ചെയ്യാൻ ഇഷ്ടമില്ലാത്തവരാണ് ഇക്കൂട്ടർ.

MR. CODIVEETIL C. RAMANKUNJU : സദാചാരവിരുദ്ധമായി ജീവിക്കുന്നവർ ഈ മുസ്ലീം സമുദായത്തിൽ ഇപ്പോൾ ഇല്ലേ?

MR. P. S. MUHAMED: സദാചാരവിരുദ്ധമായി ജീവിക്കുന്നവർക്കു മതപരമായ ശിക്ഷകൾ കല്പിച്ചിട്ടുണ്ട്.

MR. M. R. NARAYANA PILLAI : ഇങ്ങനെ മതപരമായ ശിക്ഷകൾക്കു വിധേയമായി ജീവിക്കാത്തയാളുകൾക്കു ഒരു നിയമം ഉണ്ടാകണമെന്നുള്ള ഉദ്ദേശത്തിലല്ല ഈ ബിൽ കൊണ്ടുവന്നിട്ടുള്ളത്?

MR. P. S. MUHAMED : ബില്ലിൽ ഈ ഭാഗം ഉൾപ്പെടുന്നില്ല.

MR. THAMARAPALLIL KOCHU THOMMEN : ടർക്കിയിൽ അനേകം മഹമ്മദീയർ മററു സമുദായത്തിൽപെട്ടവരെ വിവാഹം ചെയ്തു താമസിക്കുന്നില്ലേ?

MR. P. S. MUHAMED : അവിടെ ഞാൻ പോയിട്ടില്ല. അതു കൊണ്ടു് ആ വിവരം അറിയാൻ പാടില്ല. കഴിഞ്ഞപ്രാവശ്യത്തെ ഒരു അസംബ്ളി പ്രൊസീഡിംഗ്സിൽ ഇതിനെ സംബന്ധിച്ചു് പ്രസിഡൻറു അവർകൾ പ്രസ്താവിച്ചിട്ടുള്ള ഒരു ഭാഗം ഞാൻ വായിക്കാം.

"The followers of Koran are not permitted to marry non Kitabis The Islamic Law is very strict in this respect: But then. concubinage is not recgnised by Islamic Law Concubinage is punishable by death according to th Koranic injunctions A person who keeps a concubine is to be stoned to death,

കാൺകുബൈനേജ് വളരെ നിഷിദ്ധമാണു. അതിനു മതപരമായുള്ള ശിക്ഷ വളരെ ഭയങ്കരമാണു്.

MR. K. KUNJU PANICKAR : കാൺകുബൈനേജിൽ ജീവിക്കുന്നവർക്കു് എന്തെങ്കിലും ശിക്ഷ തിരുവിതാംകൂറിൽ ഇതുവരെ ഉണ്ടായിട്ടുണ്ടോ?

MR. P. S. MUHAMED : കൊറാൻ നിയമപ്രകാരമുള്ള ഒരു ശിക്ഷ പീനൽ കോഡു് അനുസരിക്കത്തക്ക ഒരു നില ഇവിടെ വന്നിട്ടില്ല. മതപരമായി കാൺകുബൈനേജ് വളരെ നിഷേധിക്കപ്പെട്ടിട്ടുള്ള ഒന്നാണു്. മതപരമായ സംഗതികളിൽ കുറെക്കൂടി കാര്യക്ഷമമായ നിലയിൽ തീരുമാനിക്കേണ്ടതാണു. ബ്രിട്ടീഷ് ഇൻഡ്യയിൽ ഇതു പോലെയുള്ള ഒരു ബിൽ ഇതുവരെ പാസാക്കിയിട്ടില്ല. കാരണം അവിടത്തെ മൈനാറിട്ടി സമുദായം മെജാറിട്ടിയുടെ കയ്യിൽ ക്ഷതപ്പെടുന്നില്ലാ എന്നു കാണിക്കുന്നതിനാണു്. കൊച്ചിയിൽ പരസ്പരവിവാഹ ബിൽ പാസായിട്ടുണ്ടു്. പരസ്പരവിവാഹം അനുവദിച്ചിട്ടുണ്ടെന്നല്ലാതെ അതിനപ്പുറം യാതൊന്നും ചെയ്തിട്ടില്ല. കൊച്ചിയിലുള്ളിടത്തോളം ഇതിനനുക്രമമായ പരിതസ്ഥിതി വരത്തക്ക നിലയിൽ ഉള്ള സാമുദായികനിയമങ്ങളുടെ നില സുരക്ഷിതമാക്കത്തക്ക ഒരവസ്ഥയിലല്ല ഈ ബില്ലു് സ്ഥിതി ചെയ്യുന്നതു്.

PRESIDENT : Order, order. I do not think it is fair on the part of the honourable Mr. P. S. Muhamed to quote extracts from my speech. He may either read the whole of my note or not refer to it at all. If he reads the whole of my note, he will realise that I have carefully guarded myself from expressing my opinion on one side or on the other. I have stated that this is a permissive bill; I have stated that in Cochin there is no such exemption and I have equally stated that in British India, there is exemption. I shall point out what the Muslim community feels on the matter, and I have indicated some of the possible answers in respect of that question. I have, nevertheless, made up my mind, having regard to the strong feelings of a minority

community to give that community and other communities similarly circumstanced, every possible opportunity to persuade their colleagues of this House. I should, therefore, prefer that arguments should be advanced on the basis of a desire so to persuade their colleagues and not to rely upon any statement from the Chair or any clarification of the issues by the Chair.

MR. M. R. NARAYANA PILLAI: May I also point out that last time when this Bill was taken up for consideration in this House, the honourable Mr. P. S. Muhamed was speaking at length and most of his arguments were much the same as those put forward by him today?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: സ്വാതന്ത്ര്യത്തെ സംബന്ധിച്ചിടത്തോളമല്ലാതെ വിവാഹത്തെസംബന്ധിച്ചിടത്തോളം കൊച്ചിയിൽ സ്വീകരിച്ചിരിക്കുന്ന ഒരു നിലയെ ആദരിക്കാൻ മെംബർ തയാറാണോ?

MR. P. S. MUHAMED: എന്റെ സ്വന്ത നിലയിൽ ഒരു അഭിപ്രായം പറയാൻ എനിക്കു അവകാശമില്ല. സമുദായത്തിന്റെ പൊതുവായ അഭിപ്രായം, ഇത് യാതൊരു വിധത്തിലും മതത്തിൽ കൈകടത്താത്ത നിലയിൽ കഴിച്ചുകൂട്ടിയാൽ കൊള്ളാമെന്നാണ് എന്റെ ആഗ്രഹം. ആ വിഷയത്തിൽ മുസ്ലീം സമുദായത്തെ എത്രത്തോളം സഹായിക്കേണ്ടതായിട്ടുണ്ടോ അത്രത്തോളം സഹായിക്കാൻ ഞാൻ കടമപ്പെട്ടവനാണ്.

MR. K. R. NARAYANAN: ഈ ബിൽ അസംബ്ളിയിൽ അവതരിപ്പിച്ച കാലത്തു ഇതിനെ അനുകൂലിച്ചതായ ഒരു മെംബർ മുസ്ലീം സമുദായത്തിൽ ഉൾപ്പെട്ടയാളാം അല്ലേ?

MR. P. S. MUHAMED: വ്യക്തിപരമായ അഭിപ്രായസ്വാതന്ത്ര്യമുള്ളവർ എല്ലാ സമുദായത്തിലും കാണുമെന്ന് ഞാൻ മുൻപുതന്നെ പ്രസ്താവിച്ചു കഴിഞ്ഞു.

MR. MACKAR PILLAI (*Kunnainad cum Parur*): മെംബർ ഈ അഭിപ്രായം പറയുന്നതു വ്യക്തിപരമായിട്ടോ അതോ സമുദായപരമായിട്ടോ?

MR. P. S. MUHAMED: മി. മക്കാർപിള്ളയുടെ പുത്രൻ മി. ഹമീദ് പ്രസിഡന്റായ നോർത്തു ട്രാവൻകൂർ മുസ്ലീം ലീഗ ഉൾപ്പെടെ മററുപല സംഘടനകളുടേയും അഭിപ്രായത്തെ ആദരിച്ചാണ് ഞാൻ പറയുന്നതു.

MR. MACKAR PILLAI: മുസ്ലീം പുരുഷന്മാർ അന്യ സ്ത്രീകളെ വിവാഹം ചെയ്യുകയാണെങ്കിൽ മുസ്ലീം സ്ത്രീകളുടെ കഥയെന്തായിരിക്കും?

MR. P. S. MUHAMED: അതുകൊണ്ടാണു ഇതു പാടില്ലെന്നു ഞാൻ പറയുന്നതു.

PRESIDENT: I do not want to curtail the trend of the honourable members discussion But the honourable member will remember that most of the other honourable members would have gone through the proceedings of the House on this subject which took place on more than one occasion Therefore, the honourable member would do well if he would put forward any special point. That may be more useful.

MR. P. S. MUHAMED: സർ, ഞാൻ വളരെ ചുരുക്കമായി പറഞ്ഞു അവസാനിപ്പിക്കാം. കൊച്ചിയിൽ ഈ ബില്ലിനെസംബന്ധിച്ചിടത്തോളം അത് ഇൻഹെരിട്ടൻസിൽ കൈകടത്തിയിട്ടില്ല. ഒരു മഹമ്മദീയനു ഒരു അന്യസ്ത്രീയെ വിവാഹം ചെയ്യാനുള്ള സ്വാതന്ത്ര്യത്തെ നൽകി എന്നു മാത്രമെയുള്ളു. ആയതിനാൽ ആ ബിൽ കൊണ്ടു വലിയ വിഷമമൊന്നുമുണ്ടാകയില്ല. അതു വിവാഹത്തെ നിയമപരമാക്കിത്തീർത്തുവെന്നേയുള്ളു. ഇവിടെ അങ്ങിനെയല്ല. ഒരു മുസ്ലീമിനു നാലുവരെ വിവാഹം ചെയ്യാമെന്നു പറഞ്ഞിട്ടുണ്ട്. അവനു യാതൊരു വിഷമവുംകൂടാതെ അവന്റെ ഭാര്യയെ അവന്റെ മതത്തിനു വിപരീതമായി പെരുമാറുകയാണെങ്കിൽ ഡൈവോഴ്സ് ചെയ്യാനനുവാദമുണ്ട്. ഈ ബില്ലനുസരിച്ച് ഒരു മഹമ്മദനു അന്യജാതിയിൽപെട്ട ഒരു സ്ത്രീയെ വിവാഹം കഴിക്കണമെന്നു മോഹമുണ്ടെങ്കിൽ ആ മിനിട്ടിൽ അവന്റെ ജാതിയിൽപെട്ട സ്ത്രീയെ ഉപേക്ഷിക്കാം. ഇതു അവന്റെ ആദ്യ ഭാര്യയോടു ചെയ്യുന്ന ഒരു വലിയ ദ്രോഹമായിരിക്കും. ഇസ്ലാം ലാ പ്രകാരം ഡൈവോഴ്സ് ചെയ്യുന്നതിനു യാതൊരു വിഷമവും ഇല്ല. തിരുവിതാംകൂറിലെ മറ്റേതു നിയമമെടുത്തു നോക്കിയാലും ഡൈവോഴ്സ് ചെയ്യാൻ എളുപ്പം സാധിക്കയില്ല. ഈ ബില്ലുകൊണ്ടു മുസ്ലീം സ്ത്രീകൾക്കു ഭയങ്കരമായ ഒരു നില ഉണ്ടാകും. ഇന്നത്തെ നിലയ്ക്കു ഒരു മുസ്ലീമിനു അയാളുടെ മൂന്നിലൊരുഭാഗത്തിൽ കൂടുതൽ സ്വത്തു വില്ലായി എഴുതികൊടുക്കാൻ അവകാശമില്ല. ഞാൻ ഒരു മുസ്ലീമായിരിക്കുന്നിടത്തോളം കാലം എന്റെ മുസ്ലീം സന്താനങ്ങൾക്കു എന്തെങ്കിലും എഴുതികൊടുക്കാൻസാധ്യമല്ല. ഈ ബിൽ ഹൗസ്സ് പാസ്സാട്ട കഴിഞ്ഞാൽ സാധാരണജനങ്ങളുടെ സ്വഭാവം അനുസരിച്ചു മുഴുവൻ സ്വത്തും സ്വാതന്ത്ര്യമായി വില്ല് എഴുതികൊടുക്കാമെന്നു വന്നാൽ അവന്റെ അവകാശികളുടെ നില എന്താണെന്നു മനസ്സിലാക്കണം. ഈ സംഗതികളൊന്നുംതന്നെ കൊച്ചിയിലെ ബില്ലിൽ ഉൾപ്പെടുത്തിയിട്ടില്ല. ഏതെല്ലാംവിധത്തിൽ നോക്കുകയാണെങ്കിലും ഈ ബിൽ മുസ്ലിംസമുദായത്തിനു സാരമായ ദൂഷ്യം ചെയ്യുമെന്നുള്ളതുകൊണ്ടു മുസ്ലിം സമുദായത്തെ ഈ ബില്ലിന്റെ പരിധിയിൽനിന്നു ഉപേക്ഷിക്കണമെന്നപേക്ഷിച്ചുകൊണ്ടു ഞാൻ അവസാനിപ്പിക്കുന്നു.

MR. M. SIVATHANU PILLAI: I second the motion. In doing so I wish to draw the very serious attention of the honourable non-official members of this House to the fact that the honourable member Mr. P. S. Muhamed made out a case, a case that cannot be resisted however much the honourable member Mr. Macker Pillai would try to belittle it. In the view that there are injunctions from the Holy Koran regarding marriages among the Muslim community it is the duty of the House to think seriously of it before they decide in a manner contrary to what is prescribed in Holy Koran. I wish only to emphasise two points that have been brought forward by the mover of the motion. One is that a marriage between a Mahomedan and a non-Mahomedan as is contemplated by the Bill is not the same in effect as could be thought of in a marriage between two members of the same community or religion. For example, if a Vellala marries a Nayar, the laws regarding marriage or divorce are similar if not exactly similar and in the matter of devolusion of properties also there is not much of dissimilarity between the two communities, as also in tha case of Ezhavas. Now consider what is the case in regard to Muslim community ?. A Mahomedan can have up to four wives at a time and the divorce also is very easy whereas in the case of Vellalas, Nayars and Ezhavas, monogamy is enforced by law and divorce can be effected with great difficulty and I will say it is almost impossible. As was pointed out by the honourable member Mr. P. S. Muhamed, a Mahomedan, if he wishes to marry a non-Muhomedan he has to divorce his Muhomedan wife or wives. Of course, that he can easily do and marry a non-Muhomedan wife. But once he does that, he is almost fixed and it is very difficult for him to bring about a dissolution of this marriage, in accordance with the law of divorce of the non-Muhamedan wife. And consider the case of the divorced Muhamedan wife in this case whose law of divorce is not so strict. That point was laboured hard by Mr. P. S. Mahomed. I do not know if this aspect of the matter has been sufficiently impressed in the minds of the honourable members. I ask the honourable members belonging to other communities to ponder over the possible repercussions if such a state of affairs was brought about by this Legislature A Muhamedan husband marries a non-Muhamedan female after easily divorcing his Muhamedan wife or wives. When the marriage connection is established, as was pointed out by Mr. P. S. Mahomed. it is very difficult to bring about a dissolution. Of course, it may be possible under certain circumstances. It has got to be proved before a court of law and finally it may end the Muhamedan husband being asked to compensate very heavily to the non-Muhomedan wife. But that is very difficult to result. But if the marriage is within the Muhomedan community, the dissolution is easily possible by repeating the word 'Thalak' three times. Hence it is that I hold and hold strongly that it is not proper and fair to allow marriage between a Muslim and non-Muslim, unless we are able to modify the law of marriage and divorce of the Muslims and bring it in line with other communities. This we cannot do, as we do not intend to disturb the Muslim religion.

[Mr. M. Sivathanu Pillai.]

Secondly as has been pointed out it is true that there are several cases of concubinage, where a muslim keeps a non-muslim woman and begets illegitimate children. I have also heard of complaints of adultery. But as pointed out by Mr. P. S. Mahomed such concubinage or adultery is strictly prohibited by the Koranic law. There may not be cases of persons being held out for punishment. But all the same the injunctions of the Holy Koran demand that such men should not have any place in society. I admit that this condemnation alone will not effectively prevent concubinage or adultery, where lust rules.

But it is said that concubinage by muslim male is very common in some parts of Travancore. That I may also admit for argument sake. But I ask the House to note that it is confined to some parts of the State. Is it a justification sufficient to legislate for the whole State? On the other hand, I would say that there is a duty cast on non-muslim community involved in this concubinage and they should stoutly refuse to lead a life of concubinage. Apart from this argument Sir, when the mahomedan community feels that this Bill seriously affects their religion and the honourable member successfully showed that it is so, I ask what is the justification for this House to impose this Bill on the muslim community. I ask why not allow them exemption from this Bill. It is not for mere fun that in British India that the mahomedan community is exempt from a similier Act which concerns Hindus, Sikhs, Buddhists etc. The British Legislature allows it partly on the score of mutual co-operation, mutual reconciliation between the Hindus and Muslims. There is no law in this way affecting the Mahomedans. What is the justification for us here in departing from a similar mode of legislation and to enact a law ignoring their claims as they happen to be a minority community in this State? I think it is but legitimate for Mr. P. S Muhamed to raise the objection as a representative of the community. With these words, I support the motion.

MR. KANNANTHODATH JANARDANAN NAIR: May I know from the honourable member whether it is a permissive piece of legislation or a compulsory piece of legislation?

MR. M. SIVATHANU PILLAI: It is a compulsory piece of legislation, as the honourable member has not understood the real implication and the extent of it, affecting as this Bill does the Muslim community.

MR. MACKAR PILLAI: സർ, നമ്മൾ മതത്തിൽ ജനിച്ചു, മതത്തിൽ ജീവിച്ചു; മതത്തിൽ മരിക്കണം. അതു് ഏററവും പ്രധാനപ്പെട്ട ഒരു സംഗതിയാണു്. മതം എന്താണെന്നാണു് ഇനി നോക്കേണ്ടതു്. എന്റെ പരിമിതമായ അറിവു വച്ചുകൊണ്ടു. ഞാൻ രണ്ടുവാക്കു പറയാം. ദൈവം ആദ്യം ആദാമിനെ സൃഷ്ടിച്ചു. (ഇസ്ലാം മതത്തിൽനിന്നുകൊണ്ടാണു ഞാൻ സംസാരിക്കുന്നതു്). അതിൽനിന്നും ഒരു സ്ത്രീയെ സൃഷ്ടിച്ചു. അതിൽനിന്നുള്ള സന്താനപരമ്പരയാണു് നമ്മളെല്ലാവരും.

ഓരോ മനുഷ്യരും വളർന്നുവന്നാൽ നല്ലവരായിരിക്കുമെന്നു ദൈവം ആദ്യം വിചാരിച്ചു. അവർക്കു വിശേഷബുദ്ധി കൊടുത്തതുകൊണ്ടു സദാചാരബോധത്തോടുകൂടി നടക്കുമെന്നാണ് ദൈവം വിചാരിച്ചത്. ക്രമേണ അതു തെറ്റി അനാചാരങ്ങളും ദുരാചാരങ്ങളും വർദ്ധിച്ചു. അപ്പോൾ ദൈവം മനുഷ്യർക്കു പ്രബോധനം നൽകാനായി ദൈവത്തിന്റെ പ്രവാചകന്മാരെ ഓരോ കാലത്തു ഓരോ ഭാഗത്തേക്കു അയച്ചു. അവർ ഓരോ ചട്ടങ്ങൾ ഏർപ്പെടുത്തി. അവരുടെ കാലം വരെ എല്ലാം ശരിയായി നടന്നു. അതു കഴിഞ്ഞപ്പോൾ പിന്നെയും തെറ്റി. ഇപ്രകാരമാണ് പല മതങ്ങളും ഉണ്ടാകാൻ ഇടയായത്. അല്ലെങ്കിൽ ഒരു മതം, ഒരു ജാതി, ഒരു ദൈവം ഇവയേ ഉണ്ടായിരിക്കയുള്ളു. നമ്മളുടെ കൊള്ളരുതായ്മ കൊണ്ടാണു പല മതങ്ങളും ഉണ്ടായത്. ഇസ്ലാം മതപ്രവാചകൻ പറയുന്നത് ഇസ്ലാം മതം പ്രകൃതിയനുസരിച്ചുള്ള ഒരു മതമാണെന്നാണ്. അതു എന്റെ സ്നേഹിതൻ ബഹുമാനപ്പെട്ട മെമ്പർ മി. പി. എസ്. മഹമ്മദും സമ്മതിക്കും. മനുഷ്യരെല്ലാം ഒന്നാണ്. കുറാനിൽ പറയുന്നതു എന്തെന്നാൽ ഒരറബി, അറബി അല്ലാത്തവനേക്കാളും, അറബി അല്ലാത്തവൻ അറബിയേക്കാളും ശ്രേഷ്ഠതയുള്ളവനല്ല. എല്ലാവരും ആദാമിന്റെ സന്താനങ്ങളാണു. മനുഷ്യരെ ആണും പെണ്ണുമായി സൃഷ്ടിച്ചു. നിങ്ങൾ പരസ്പരം അറിയുന്നതിനുവേണ്ടി ഓരോ കുഡുംബങ്ങളായും ഗോത്രങ്ങളായും വേർതിരിഞ്ഞു. ഒരുവന്റെ കർത്തവ്യത്തെക്കുറിച്ചു ഏറ്റവും സൂക്ഷ്മതയുള്ളവനാരാണോ അവനാണു ദൈവത്തിന്റെ മുൻപിൽ ഏറ്റവും ബഹുമാനപ്പെട്ടവൻ. നാം ചീത്തപ്രവൃത്തി ചെയ്താൽ നമുക്കു ചീത്ത ഫലം കിട്ടും. നല്ലതു പ്രവർത്തിച്ചാൽ നല്ലതു ലഭിക്കും. നിബിമാർ എല്ലാ ദേശങ്ങളിലും ഉണ്ടായിട്ടുണ്ട്. ഓരോ കാലത്തു കാലദേശാവസ്ഥയനുസരിച്ച് ജനങ്ങളുടെ ഇടയിൽ പ്രബോധനങ്ങൾ നൽകാൻ ഓരോ സ്ഥലത്തും പ്രവാചകന്മാരെ ദൈവം അയച്ചിരുന്നതായികാണാം. ഈ ബില്ല് മുസ്ലീം സമുദായത്തിനു നല്ലതല്ലാ എന്നു ബഹുമാനപ്പെട്ട മെംബർ മിസ്റ്റർ പി. എസ്. മഹമ്മദും അതിനെ അനുകൂലിച്ചു മി. ശിവതാണുപിള്ളയും പ്രസ്താവിച്ചു കഴിഞ്ഞു. ഇവർക്കു ഒരു തെറ്റിദ്ധാരണ വന്നിട്ടുണ്ടു. മുസ്ലിം സമുദായമെന്നു പറയുന്നതു പുരുഷന്മാർ മാത്രമാണെന്നാണു ഇവർ വിചാരിക്കുന്നതു. സ്ത്രീകളെ ഉൾപ്പെടുത്തുന്നില്ല. മതസ്ഥാപകന്മാരുടെ കാലത്തു പുരുഷന്മാർക്കും സ്ത്രീകൾക്കും ഒരുപോലെ സമത്വം കൊടുത്തിരുന്നു. പിന്നീടു പുരുഷന്മാർ സാമ്പത്തികനിലയിൽ കൈകടത്തി സ്ത്രീകളെ അടിമപ്പെടുത്തുകയാണു ചെയ്തിരിക്കുന്നത്.

MR. M. R. NARAYANA PILLAI : ___കറാനിൽ.........

PRESIDENT : What is that?

MR. M R. NARAYANA PILLAI : It is a book entitled "Meaning of the Glorious Koran", It is said in Chapter IV, Clause 34 'Men are in charge of women because Allah takes them".

PRESIDENT : The honourable member will find several passages in which the Prophet has stated that women are able to conduct affairs for themselves under certain circumstances and wherever they are able to do so.

MR. MACKAR PILLAI : മതത്തിൽ സ്ത്രീപുരുഷന്മാർക്ക വ്യത്യാസമില്ല. നീതി, ന്യായം, സദാചാരം ഇവയാണ മതതത്വം. കർആൻ ദൈവവാക്യങ്ങളടങ്ങിയ ഒരു പുസ്തകമാണ്. അതിന്റെ വ്യാഖ്യാനത്തിന്റെ വ്യത്യാസംകൊണ്ട് മുസ്ലിം സമുദായം നാലു പ്രധാന ഭാഗങ്ങളായിട്ടുണ്ട്. ഇപ്പോൾ നാലിൽ കൂടുതൽ കാണും. കർആനിലെ വ്യാഖ്യാനങ്ങൾതന്നെ കർആനേക്കാൾ വളരെയധികം വലിപ്പമുള്ള പുസ്തകങ്ങളായിട്ട് എഴുതിയിട്ടുണ്ട്. നീതി, ന്യായം ഇവയെ അടിസ്ഥാനപ്പെടുത്തിയാണ് കർആനെ വ്യാഖ്യാനിക്കേണ്ടതു്. കർആനിൽ ലാ - ഇല്ലാഹ - ഇല്ലല്ല എന്ന് പറയുന്നുണ്ട്. അതിന്റെ അർത്ഥം ദൈവമല്ലാതെ വേറെയൊരു ആരാധനക്കർഹനമില്ലെന്നാണ്. എന്നാൽ "ലാ - ഇല്ലാഹ" എന്നതിന്റെ അർത്ഥം 'ദൈവം ഇല്ലെന്നാണ്. അതുകൊണ്ട് ഒരു വാക്കൊ ഒരു വാചകമൊ മാത്രം നോക്കിയല്ല വ്യാഖ്യാനിക്കേണ്ടതു. മഹമ്മദുനബി ഒരു ദൈവദൂതൻ മാത്രമാണ്. ഇസ്ലാം മതത്തിൽതന്നെ ലൌകീകമെന്നും ദൈവീകമെന്നും രണ്ടു സംഗതികളുണ്ട്. നബിയുടെ കാലത്തു് ഇന്നത്തെ സ്ഥാനത്തേക്കാൾ ഏററവും ഉയന്ന ഒരു സ്ഥാനം സ്ത്രീകൾക്കുണ്ടായിരുന്നു. ഇപ്പോൾ ആ കാലം മാറി. മതഗ്രന്ഥങ്ങളിലും സ്ത്രീകൾക്കാണ് കൂടുതൽ മഹത്വം കല്പിക്കുന്നതു്. എല്ലാ മതങ്ങളും ഇസ്ലാം മതങ്ങളാണ്. ആരെയും ഒരു വിധത്തിലും ഉപദ്രക്കരുതു്, കഴിയുന്നതും സഹായം ചെയ്യണം, എന്നുള്ളതാണ് എല്ലാ മതത്തിന്റേയും പൊതുതത്വം. ഹിന്ദുമതത്തിൽതന്നെ "അഹിംസാ പരമോ ധമ്മഃ" എന്നു പറഞ്ഞിട്ടുണ്ട്. കഴിഞ്ഞ കാലങ്ങളിൽ ഉണ്ടാക്കിയ നിയമങ്ങൾ മിക്കവാറും ഇപ്പോൾ ഭേദപ്പെട്ടാണു കാണുന്നതു്. അതാതു് കാലദേശാവസ്ഥയനുസരിച്ച നിയമങ്ങൾ മാറാതെ കഴികയില്ല.

മനുഷ്യരെല്ലാം സഹോദരന്മാരായിരിക്കണം. സ്ത്രീക്കും പുരുഷനും സമത്വം വേണമെന്നുള്ളതിന് യാതൊരു തക്കവുമില്ല. ഇത്രമാത്രമേ ഇതിൽ ഉള്ളു. ഇനി അവകാശക്രമത്തെപ്പററി

ചിന്തിക്കാം. സർ, ഞാൻ ഒന്നു ചോദിച്ചുകൊള്ളട്ടെ. മാതാപിതാക്കന്മാരിൽ നിന്നാണു സന്താനങ്ങൾ ഉണ്ടാകുന്നതു്. ഈ സന്താനങ്ങളിൽ ചിലതു പുരുഷനായിരിക്കും ചിലതു സ്ത്രീയായിരിക്കും. ഇതിൽ മാതാപിതാക്കൾക്കു എന്താണ് വ്യത്യാസം. ഈ സ്ത്രീക്കും പുരുഷനും സമാവകാശം കൊടുക്കണമെന്നുള്ളതു് വെറും ഒരു നീതിമാത്രമാണ്. വിവാഹക്രമത്തെപ്പററി നോക്കിയാൽ, ഒരു പുരുഷന് 4 സ്ത്രീകളെ വിവാഹം ചെയ്യാമെന്നാണ് മിസ്റ്റർ മുഹമ്മദ് പറയുന്നതു്. എന്നാൽ ശരീരേച്ഛ അനുസരിച്ചു ചിലപ്പോൾ ഒരു സ്ത്രീയെ തൃപ്തിപ്പെടുത്താൻ ഒരു പുരുഷനു സാദ്ധ്യമല്ലാതെയും വരും. സ്ത്രീകൾക്കു യാതൊരു കഷ്ടപ്പാടും കൂടാതെ അധികംപേരെ വേണമെങ്കിൽ തൃപ്തിപ്പെടുത്താം ഞാൻ ഇങ്ങനെ തുടന്നു പ്രസ്താവിക്കുന്നതിൽ ആരും പരിഭവപ്പെടരുതു്. മറെറാന്നു മിസ്റ്റർ മുഹമ്മദ് പറയുന്നതു് അന്യജാതി സ്ത്രീകളെ ഞങ്ങൾക്കു വിവാഹം ചെയ്യാമെന്നുള്ളതാണു. ഞങ്ങളുടെ സ്ത്രീകളെ മററുള്ളവർ വിവാഹം ചെയ്യുകയും അരുതു്. സർ, ഇതിൽ കിടക്കുന്ന രഹസ്യം, ഞങ്ങളുടെ സ്ത്രീകളെ വല്ലവരും വിവാഹം ചെയ്തുകൊണ്ടു പോയാലോ എന്നുള്ള ഭയമാണ്. എന്റെ സ്നേഹിതൻ പറയുന്നപ്രകാരം മററുജാതി പെണ്ണുങ്ങളെ ഞങ്ങൾ വിവാഹം ചെയ്താൽ ഞങ്ങളുടെ പെണ്ണുങ്ങളുടെ സ്ഥിതി എന്തായിരിക്കും? അവക്കു ഭർത്താക്കന്മാർ വേണ്ടേ? പിന്നെ ഇതിൽ വേറൊന്നുള്ളതു്, ഈ ബിൽ ഇന്നു് ആരേയും നിർബന്ധിക്കുന്നില്ലാ എന്നുള്ളതാണ്. അന്യജാതി സ്ത്രീകളെ വിവാഹം ചെയ്യണമെന്നു് അതിൽ നിർബന്ധിച്ചിട്ടില്ലാ. തിരുവിതാംകൂർ മഹാരാജാവുതിരുമനസ്സുകൊണ്ടു് അദ്ദേഹത്തിന്റെ പ്രജകളിൽ ഹിന്ദുവർഗ്ഗത്തിൽ പലേ ജാതിക്കാരുമുണ്ടെന്നു് കണ്ടിട്ടു് ഒരൊററ തിരുവെഴുത്തു വിളംബരംകൊണ്ടു ക്ഷേത്രപ്രവേശനം കൊടുത്തു. മിശ്രഭക്ഷണവുംകൂടി കൊടുത്തു. അവരെയെല്ലാം ഒന്നാക്കി. ഇതിന്റെ ഉദ്ദേശം എല്ലാമനുഷ്യരേയും ഒരേ ജാതിയാക്കണമെന്നുള്ളതാണ്. ഇനി അതു പരസ്പരവിവാഹം കൊണ്ടാണു് പൂർത്തിയാക്കേണ്ടതു്. ഈ മിശ്രവിവാഹംകൂടി നിർബന്ധമാക്കിയാൽ അനേകകാലമൊന്നും വേണ്ടിവരികയില്ലാ, നാമെല്ലാം ഒരു ജാതിക്കാരായി തീരാൻ. പിന്നീടു ഉദ്യോഗവഴക്കൊ, പ്രാതിനിധ്യവഴക്കൊ ഒന്നും തന്നെ ഉണ്ടാകയില്ലാ. ഇപ്പോൾ ക്ഷേത്രപ്രവേശനം നിമിത്തം തിരുവിതാംകൂർ ഇൻഡ്യക്കു ഒരു മാതൃകയായി വന്നിരിക്കുന്നു. എന്തുകൊണ്ടു മിശ്രവിവാഹവുംകൂടി ഒരു മാതൃകയായി വന്നുകൂടാ എന്നാണ് ഞാൻ ചോദിക്കുന്നതു്. അതുംകൂടി ഗവൺമെന്റ ചിന്തിക്കേണ്ടതാണ്. ഈ വക കാരണങ്ങളാൽ എന്റെ സ്നേഹിതന്റെ അമൻമെൻറിനെ ഞാൻ ശക്തിയായി എതിർക്കുന്നു.

MR. C. JEBAMONY NADAR: Sir, I oppose the amendment.

PRESIDENT: I do not hear the honourable member. The honourable member will kindly speak up.

MR. C. JEBAMONY NADAR: Sir, I do not take it that the underlying principle of this Bill is one of religion or community, but, is one of pure contract only. According to the Bill people of any community can contract marriages; only they must be majors. When persons who are majors enter into a contract, what is there in any law to prevent that contract? So far as religion, community or caste is concerned the law governing the members is one of free will. If a Muslim is not willing to comply with the rules of his religion, I do not see how he could claim to be a Muslim. The Bill applies only to the case of a man who is not prepared to respect the precepts of his religion. In such a case, I do not think there is any reason for Mr. P. S. Mahomed to complain. When an individual refuses to follow the rules of his community or religion the question is whether the State should in any way step in, so as to compel the individual to comply with the rules of that community or religion. My view is that it should not. When a man enters into a contract of marriage with a lady belonging to another religion or caste it may be no marriage in law but only a case of concubinage or prostitution. At the same time there is no law prohibiting such unions, when the contracting parties are of full age and enter into the contract of their own free will. This is an anomaly of law which has to be rectified by the legislature. Unless we have a law to legalise such marriages the consequences are serious. In the interests of society it is essential that such an union remains permanent, without allowing the couple to change their minds as often as they please. To achieve this object the only means is to legalise the union. Again what is the plight of children born of such cohabitation, under the existing law? The religion says, "You are not a legitimate child." Therefore, religion declines to accept the legitimacy of the child. Similarly, the community will say that "your parents have not complied with the rules of our society, so we will not recognise you." The State has therefore to protect the child from vagrancy and enact suitable laws. The Bill also provides sufficient safeguards against momentary impulses on the part of young people. For the contract of marriage is not to be registered as soon as they go to the Registrar. They must first give notice and then wait for a month. If, even after the lapse of a month anybody raises any protest, the Registrar will have to wait for 14 days more. In the meanwhile a suit could be filed and injunction obtained to restrain the marriage. Is which case also the marrige will not be registered. So this Bill provides for every safeguard before legalising inter-communal marriages. Suppose a Muslim gives notice of marriage, with one of another community, and a friend like Mr. P. S. Mahomed, tells him "as a Muslim you are violating our religion if you do it; so you should not do it". Still the person does not change his mind. What reason has Mr. Mahomed then to say that the marriage should not be solemnised? I believe none. The proposed law applies to all religions alike. The Christians also say that it is against their religion. Similarly the Hindus also say that it is against caste

autonomy because according to the Bill there can be a marriage between one caste and another. So the question is how far these sentiments could be respected by the legislature? It must be noted that the Bill is only permissive and it applies only to those individuals who are not prepared to marry in accordance with the rules of their religion. It appears to me therefore that there is not much substance in the amendment.

In my view, when people from two different communities contract marriages of their own free will, it will tend to produce communal concord between different communities. This Bill therefore aims at harmony. One must have national outlook in a social matter such as this. Eminent Indians have opined that inter-communal marriages are necessary and essential for national unity. Further this law only helps those who feel that they are otherwise helpless...... (President's bell)

SADASYATILAKA T. K. VELU PILLAI: Sir, I wish to speak on this motion.

PRESIDENT: Order, order. I think having regard to all that has happened on this bill, I am perfectly willing to adopt the ordinary rule that no limitation of debate be imposed on the members of the minority communities, but in regard to others the maximum time I shall allow is 7 to 10 minutes.

SADASYATILAKA T. K. VELU PILLAI: Sir, I propose to confine my remarks to two aspects of the question The first is that how far this bill makes an inroad into the religious faith and practices of the Muslims. For that purpose my first argument is that religion is a kind of essential net-work protected by rules devised for the security, safety and growth of that community which follows that religion. If anybody falls outside the limits he is not entitled to protection of any religious law. In order to be brief I would read in support of my argument a quotation from Sale's Translation of the Koran. It is stated there:

> "There is no doubt in this book; it is a direction to the pious, who believe in the mysteries of faith, who observe the appointed times of prayer, and distribute alms out of what we have bestowed on them and who believe in that revelation, which hath been sent down unto thee, and that which hath been sent down......... As for the unbelievers, it will be equal to them whether thou admonish them, or do not admonish them; they will not believe. God hath sealed up..... .....God shall mock at them,......... ...There are some who say, we believe in God and the last day, but are not really believers."

Therefore those people believe in the principles of Islam as expounded by the Holy Prophet of Arabia. This is from the Chapter on Cow. Again you find various questions relating to marriage in the chapter on Women.

Also at page 105 you find this:

> "We also caused Jesus the son of Mary to follow the footsteps of the prophets confirming the law which was sent down before him; and we gave him the gospel, containing direction and light; confirming also the law which was given before it, and a direction and admonition unto those who fear God; that they who have received the gospel might judge according to what God hath revealed therein; and whoso judgeth not according to what God hath revealed

[Sadasyatilaka T. K. Velu Pillai.]

> they are transgressors.' We have also sent down unto thee the book of the Koran with truth, confirming that scripture which was revealed before it; and preserving the same safe from corruption. Judge therefore between them according to that which God hath revealed; and follow not their desires, by swerving from the truth which hath come unto thee. Unto every one of you have we given a law and an open path; and God had pleased, he had surely made you one people; but he hath though fit to give you different laws, that he might try you in that which he hath given you respectively".

Therefore, Sir, the standard to be applied in the examination of this question is a standard which the Koran justifies us to use. And if any Muslim, however independent, breaks the intentions of the Koran, disdains the following of the precept and example, he is not entitled to the protection of anything laid down by the Holy Prophet. So, Sir, if a Muslim is prepared to mis-behave, is prepared to violate the laws of God, is prepared to run amok in any manner, then he does not come under the mantle of the Koran's protection. Now, Sir, the question is, is a Muslim who takes his stand on the Koran and the religious observances of the community for centuries, entitled to say "I follow the Koran. I break the Koran. But for certain purposes, I want the protection of the Koran?" That is the situation that we have. I am only speaking with particular reference to Koran. To the Hindu and to the Christian also the standard which I would apply is this. If a man wants the benefit of a principle based on religion, he must live and move in an atmosphere of that religion.

The second point, Sir, is that while permitting all freedom of thought and all freedom of action, so long as one's action does not affect another, we have to recognize the principle which have solidified themselves in this world with the progress of society. Legislation itself is, in some countries, individualist in these matters while others are collectivist——

PRESIDENT: It is not necessary to dilate on this matter. It is open and clear that according to the Koran, marriage is a contract, pure, and simple.

SADASYATILAKA T. K. VELU PILLAI: We have been legislating for various communities. All are wont to think that the minority communities are entitled to every protection. I may say, Sir, that, for years and years together, whether publicly or not, I have stood steadfastly by these numerically small communities. So that, Sir, when my esteemed friend, Mr, P. S. Mohamed spoke about that, a very tender chord in my heart was touched. Therefore, Sir, while being of the emphatic opinion that a civilized country like Travancore should do everything in its power, while I wish that all of us should interest ourselves in the protection of the minorities, against the tyranny of the majorities. I still say that, when the State finds it necessary to reform the law in any particular direction, the State, following individual rights as sacred, the State, treating its relationship to the individual as a pre-eminent matter, must step in and legislate, and we, in this house, are now contemplating that legislation.

I propose to examine only one other question.

PRESIDENT: Three minutes more.

SADASYATILAKA T. K. VELU PILLAI: Marriage, everybody knows, according to the Koran is only a civil contract. And it has been said 'the pillars of marriage, as of other contract, are ijab-o-kabul, or declaration and acceptance'. I am quoting from Fatawa Alamgiri. Therefore, when marriage is a civil contract, according to the Koran and according to the doctors who have tried to interpret the Koran, to say that if this Bill is introduced, the Mohammadan religion would be in trouble, is not correct. The social habits all over the world are undergoing change. If, for the supply of some articles, they can enter into a civil contract, with anybody, I do not see any reason, because marriage is a civil contract, why in some mattars the Legislature cannot interfere. That is the only position which I desire to develop. Therefore because it is only a permissive legislation, there cannot be any objection to it. Even a rather conservative person like myself fell inclined to accept the position now being taken by this Bill. Therefore. Sir, I would advise Mr. P. S. Mohamed, in whom I have got great respect, to have truth, justice and principles of legislation. I would tell him, with your premission, that nothing but a great regard and love and respect for that community enables me to say this. But the position is a sound one. We shall not trudge upon the Muslim faith and practice. But we should respect the rights of an individual. The worst insult to a man is to be called a bastard and even bastards themselves dislike to be called bastards. In the interests of religious and social progress, I would entreat Mr. P. S. Mohamed to withdraw his motion.

MR. M. SIVATHANU PILLAI: One thing. May I know whether the honourable member has got to say anything with regard to the general opinion of the Mohammadan community?

SADASYATILAKA T. K. VELU PILLAI: That Sir, is a matter on which I cannot make any authoritative opinion.

MR. KANNANTHODATH JANARDANAN NAIR: The opposition to the Bill has developed on unfortunate unexpected lines. It is stated that the majority communities are making inroads upon the liberties, rights and privileges of the minority communites, or rather, will try to make inroads, if the Bill is accepted. We, who have the good fortune or misfortune to belong to the majority communities, have always realized and will always realize that social, economic, religious and all of our society progress at present and in future lie upon the betterment of the minority communities the opportunities we are able to afford them to achieve the end. It is with these aspects in view, that I try to examine the argu ments put forward by my honourable friend, Mr. P. S. Mohamed After all, what is the intention of this Bill? It has been explained in this house before, by the honourable Mr. Jebamony Nadar that this is only a piece of permissive legislation and not a compulsory one. Now, Sir, marriage is performed not only for purposes spiritual

[Mr. Kannanthodath Janardanan Nair.]
out mostly for society. For, the direct results of a marriage are offsprings who form the future society and nation; as such the present regenerating society has its duties to see that they develop in a manner fitted to form part of a healthy society. That is the importance of a marriage and the eventual succession. As such, and as according to the Mohammadan law itself, it is a civil contract, with no sacrament as in the case of other religions. I think, along with Mr. Jebamony Nadar, that it is a necessity that the society and on behalf of it the State should have some say in the matter, that the State should exercise its privilege of legislation for the betterment of society.

Again, Mr. P. S. Mohamed was opposing the bill in the name of Islam, in the name of his religion. Sir, as far as I have known Islam, it has always been for progress and always its glorious perceptions and traditions has stood in good stead to spread it in wider circles. It is significant to note that when other religions were not prepared Islam was the one religion which was ever prepared to follow roads of progress and join hand-in-hand with other nations along that course. Therefore, Sir, that religion, which has always stood for progress, should not be brought in and discussed in obstructing the passage of this bill and I feel Mr. P. S. Mohamed was really taking an unfortunate turn, he was really dragging in the trivial aspects of his glorious religion to bear upon the discussion to hamper the progress of the bill ignoring its noble aspects and perceptions. Turkey has not lost its religion because it adopted methods of progress. Egypt did not lose its Islamic qualities because it followed the road to progress, Persia is still Islamic though it progressed ever further. Unfortunately, it is not the glorious traditions of that religion that are taken into consideration for purposes of this bill, but it is the trivial aspects of that religion—so trivial that even his co-religionists in the House could not subscribe to his views—which are being brought to bear on the discussions for a social legislation of this kind which is intended for inter-communal union eventually helping to develop national unity.

From another point of view, from the point of view of morality, I feel I cannot agree with Mr. P. S. Mohamed. May I ask the honourable member whether the marriage as accepted by law is not morality, is concubinage morality or marriage morality. I know that Islam will always uphold the acceptance of this legalisation of this union—the present concubinage as marriage and acceptance of that in that manner by society, will be accepted as morality. Now, as the time at my disposal is too short, I may just point out one another aspect - the place of women in Islam. Women always are accepted as queens of households in the Islam society. Why not then allow that status to other women who have the good fortunes to become the wives of Islams. Islam has always stood for brotherhood and equal treatment of human beings. As such, when a Muslim wants to go out of his community and marry from another community, it is in the high and glorious traditions of Islam that that woman also should receive all the considerations that any other member belonging to that religion receives. That is what is intended by this permissive piece of legislation. I oppose the amendment.

PRESIDENT : I hope honourable members will be brief in their remarks.

MR. K. KUNJU PANICKAR : സർ, മി. പി. എസ്. മഹമ്മദ് ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന പ്രമേയത്തിൽ മഹമ്മദീയസമുദായത്തെ മാത്രം ഈ നിയമത്തിൽനിന്നും ഒഴിവാക്കണമെന്നാണു പറയുന്നതു്. എന്നാൽ നമ്മുടെ അടുത്ത സ്റ്റേററായ കൊച്ചിയിൽ മഹമ്മദീയ പ്രതിനിധികൾകൂടി പ്രതിനിധീകരിച്ചാണു് ഈ നിയമത്തിൽ മഹമ്മദീയരെ കൂടി ഉൾപ്പെടുത്തണമെന്നു തീരുമാനിച്ചതു്. ഇപ്രകാരം സമീപസ്ഥരായ മഹമ്മദീയർ അവരുടെ സമുദായത്തെക്കൂടി ഉൾപ്പെടുത്തി സ്പെഷ്യൽ മാര്യേജ് ആക്ടിൽ ചേരാൻ തയ്യാറായ അവസരത്തിൽ തിരുവിതാംകൂറിലെ മഹമ്മദീയർ മാത്രം പുറകോട്ടു ചവുട്ടിനിൽക്കണമെന്നു പറയുന്നതു് ശരിയല്ല. പരിഷ്കൃതരീതികളിൽ പോകുന്ന എല്ലാ പ്രവാഹത്തിലും മുന്നണിയിൽ നിൽക്കുക എന്നതാണ് തിരുവിതാംകൂറുകാരായ ഏവരുടേയും കടമ. ഇവിടത്തെ മഹമ്മദീയരെമാത്രം ആക്ടിൽനിന്നും ഒഴിവാക്കണമെന്നു പറയുന്നതിനുള്ള പ്രധാന കാരണം മഹമ്മദീയർക്കു മൂന്നോ നാലൊ വിവാഹം കഴിക്കാൻ അവരുടെ മഹമ്മദൻനിയമം സമ്മതിക്കുന്നതിനെ ഈ ബിൽ അംഗീകരിക്കുന്നില്ലെന്നുള്ളതാണ്. മററു സമുദായങ്ങളിൽപ്പെട്ട സ്ത്രീപുരുഷന്മാരുമായി ബന്ധത്തിൽ കഴിയുകയും വേണം; എന്നാൽ അങ്ങിനെയുള്ള ബന്ധം മാന്യമായ വിവാഹമായി തീർക്കാൻ പാടില്ല എന്നുള്ള മനഃസ്ഥിതിയിലാണ് മി. പി. എസ്. മഹമ്മദു പ്രതിനിധീകരിക്കുന്ന സമുദായവിഭാഗം സ്ഥിതിചെയ്യുന്നതു്. ഈ സമുദായത്തിൽപ്പെട്ട ഭൂരിപക്ഷം ആളുകളും ഇപ്പോൾ അവിവാഹിത സ്ത്രീപുരുഷബന്ധത്തിൽ അന്യരുമായി ബന്ധത്തിൽ ഏർപ്പെടുകയെന്നുള്ളതു ഒരു സാധാരണനടപടിയായിത്തീർന്നിട്ടുണ്ട് എന്നുള്ളതു് ഒരു വസ്തുതയാണ്. എന്നു മാത്രമല്ല മഹമ്മദീയർ കച്ചവടത്തിൽ ഏർപ്പെട്ടിരിക്കുന്ന ഒരു സമുദായമാകയാൽ അവർക്കു മററു സമുദായക്കാരുമായി ബന്ധമുണ്ടാകുന്നതിലേയ്ക്കു കൂടുതൽ സൗകര്യം ലഭിക്കുന്നുമുണ്ട്. നാട്ടിൻെറ നാനാഭാഗങ്ങളിലും ഈ മാതിരി സംസർഗ്ഗം ഇന്നു നിലകൊള്ളുകയാണ്. അതിനാൽ അങ്ങിനെയുള്ള മഹമ്മദീയരെ ഈ ബില്ലിൽനിന്നും ഒഴിവാക്കണമെന്നു് അപേക്ഷിക്കുന്നതു സദാചാരവിരുദ്ധമായ ഒരു കാര്യം സാധിക്കാനുള്ള ഒരപേക്ഷയാണെന്നുകൂടി ഞാൻ അറിയിച്ചുകൊള്ളുന്നു.

MR. M. SIVATANU PILLAI : ഈ നടപടി സാധൂകരിക്കുന്നതിനേക്കാൾ അതിനെ തടസ്സപ്പെടുത്തുന്നതല്ലേ നല്ലതു്.

MR. K. KUNJU PANICKAR : ഒന്നോ, രണ്ടോ പേരെയാണെങ്കിൽ അതിനു സാധിക്കും. അല്ലാതെ, മഹമ്മദീയ ജനസാമാന്യം ഒട്ടാകെ കൈക്കൊണ്ടിരിക്കുന്ന ഒരു നടപടിയെ തടസ്സപ്പെടുത്തുകയെന്നുള്ളത് സുസാദ്ധ്യമല്ല. ഞാൻ പറയുന്നതു ഈ പ്രമേയം അവതരിപ്പിച്ചിരിക്കുന്ന മഹമ്മദീയസമുദായത്തെ പ്രതിനിധീകരിക്കുന്ന മി. പി. എസ്. മഹമ്മദു വിചാരിച്ചാൽതന്നെയും ഈ മാതിരി ബന്ധങ്ങളെ തടയാൻ കഴികയില്ലെന്നാണ്. എന്റെ ബഹുമാന്യസ്നേഹിതനായ മി. മക്കാർപിള്ള പറയുന്നതു താത്വികമായിട്ടും, സദാചാരപരമായിട്ടും ഈ ബിൽ മഹമ്മദുമതത്തിനു വിരോധമല്ലെന്നാണ്. എന്റെ സ്നേഹിതൻ മി. പി. എസ്. മഹമ്മദു പറയുന്നു, ബ്രിട്ടീഷ് ഇൻഡ്യയിൽ മഹമ്മദീയരെ ഈ നിയമത്തിൽനിന്നും ഒഴിവാക്കിയിരിക്കുന്നുവെന്നു. എന്നാൽ ഇപ്പോൾ അവിടെയുള്ള മഹമ്മദീയരിൽ ചിലർ രാജ്യഭരണത്തിനുപോലും പാകിസ്ഥാൻ വേണമെന്നും മററും ചോദിച്ചുതുടങ്ങിയിരിക്കുകയാണ്. നേരെ മറിച്ചു ഈ നിയമം നടപ്പിൽവന്നാൽ അതു നിമിത്തം പരസ്പരബന്ധത്തിനു ഇടവരികയും, ഇപ്പോൾ ഉള്ള ജാതിവഴക്കുകൾ എല്ലാം മാറി നമുക്കെല്ലാപേക്കും സഹോദരന്മാരായി, ഒരേ കൂട്ടുകെട്ടോടുകൂടി കഴിയുന്നതിനു സൗകര്യം ലഭിക്കുകയും ചെയ്യുമെന്നുള്ളതിനാൽ മി. പി. എസ്. മഹമ്മദുതന്നെ ഈ പ്രമേയത്തെ പിൻവലിക്കണമെന്നു അപേക്ഷിക്കുന്നു.

(The House adjourned for lunch, and re-assembled at 3 P. M.)

MR. DOMINIC JOSEPH : Sir, I oppose the amendment on one or two personal grounds. It is well known that certain communities oither than the Muslims are opposed to this Bill. The grounds of their divergence may be well founded or ill-founded and I do not want to enter into that now. Due advertence has been made in the President's statement to this House about the opposition from other communities. What I maintain is that,i f exclusion is made, it must be, a total exclusion of all communities who are opposed to this Bill. There must not be a piecemeal exclusion. If Mr. Mahomed's amendment is carried, that will mean exclusion of the Muslim community. That will be interpreted as some sort of partiality or invidious distinctions by other communities who are equally opposed to this measure. I do not welcome such a prospect.

Secondly, if Mr. Mahomed's amendment is carried, that will be a tribute to his pertinacity and industry and indirectly, it will be are-flection upon members who belong to other communities similarly opposed to this measure. Now, the other communities who oppose this Bill will naturally and rightly say that if our representatives had been equally pertinacious, equally vigilant, there would have been a diffferent situation. Therefore, I do not naturally welcome such a prospect also. On these personal grounds I oppose the amendment.

MR. A. K. KUMARAN VAIDYAN (*Kunnatnad cum Parur*) സർ, ഞാൻ ഈ ഭേദഗതിയെ എതൃക്കുന്നു. അതായതു് ഒരു നിയമമുണ്ടാക്കുന്നസമയത്തു ഒരു സമുദായത്തെ അതിൽനിന്നും ഒഴിവാക്കണം എന്നു പറയുമ്പോൾ മററു പല സമുദായങ്ങൾക്കും ഇതെ അഭിപ്രായംതന്നെ ഉണ്ടായി എന്നുവരാം. മാത്രമല്ല എനിക്കു പ്രധാനമായി പറയുവാനുള്ളതു് ഈ ബില്ലിൽ നിന്നു മുസ്ലിം സമുദായത്തെ ഒഴിവാക്കുകയാണെങ്കിൽ ഞാൻ ഉൾപ്പെട്ട സമുദായത്തിൽനിന്നും സ്ത്രീകളെ മഹമ്മദീയർ വിവാഹംചെയ്യാൻ പാടില്ലെന്നാണു ഞാൻ വാദിക്കുന്നതു്. ഇതു് ഒരു നിയമമായി വന്നാൽ യാതൊരു സമുദായത്തിനും യാതൊരാക്ഷേപവും ഉണ്ടാകയില്ല. അതായതു് സാധാരണയായി ഒരുവൻ ഒരു അന്യജാതി സ്ത്രീയെ രജിസ്റ്റർവിവാഹം ചെയ്തോ അല്ലാതേയൊ ഭാര്യയാക്കി വച്ചുകൊണ്ടിരുന്ന ശേഷം കുട്ടികളും ഉണ്ടായതിന്റെ ശേഷം ആ സ്ത്രീയെ ഉപേക്ഷിക്കയും ചെയ്തശേഷം സ്വത്തിനു അവകാശം കൊടുക്കുകയില്ലെന്നു പറയുന്നതു് സാഹസമല്ലേ എന്നാണു് ഞാൻ ചോദിക്കുന്നതു്. മുസ്ലീം സമുദായത്തിൽപ്പെട്ടവർക്കുതന്നെ ഈ ഭേദഗതിയോട് ആനുകൂല്യമല്ല ഉള്ളതെന്നാണു എന്റെ അന്വേഷണത്തിൽ അറിയുന്നതു്. അതായതു് ഉത്തരതിരുവിതാംകൂറിലെ ഒരു പ്രമുഖമുസ്ലിം മെമ്പറായ മി. മക്കാർ പിള്ള ഈ ഭേദഗതിയെ എതിക്കുന്നതിൽനിന്ന് അദ്ദേഹമുൾപ്പെട്ട സസമുദായത്തിന്റെ അഭിപ്രായം എന്താണെന്നു നമുക്ക് മനസ്സിലാക്കാം. മുസ ളിം സമുദായത്തിൽപ്പെട്ട ഒരു പുരുഷൻ അന്യസമുദായത്തിൽപ്പെട്ട ഒരു സ്ത്രീയെ വിവാഹം ചെയ്യുകയാണെങ്കിൽ അയാളെ ആ സമുദായത്തിൽ നിന്നും ബഹിഷ്ക്കരിക്കുമെന്നാണ് കുറാൻ പറയുന്നതു് എന്നാണ് എന്റെ സ്നേഹിതൻ മി. പി. എസ്സ്. മഹമ്മദ് പലതവണ ഈ സഭയിൽ പ്രസ്താവിച്ചിട്ടുള്ളതു്. മുസ്ലീം സമുദായത്തിന്റെ അനിഷേദ്ധ്യനേതാവായ മി. ജിന്നായേയൊ അല്ലെങ്കിൽ തിരുവിതാംകൂറിലെ ഇഞ്ചിനീയറിങ്ങ് ഡിപ്പാർട്ടുമെന്റിൽ ജോലിനോക്കി പെൻഷൻപററിയ മി. ബേക്കരേയോ മദ്രാസ് പ്രസിഡൻസിയിൽ ഡി. എസ്സ്. പി. ആയിരിക്കുന്ന മി. ഫക്രുനിനേയൊ അന്യസമുദായവുമായിവിവാഹബന്ധത്തിൽ ഏർപ്പെട്ടു എന്ന കാരണത്താൽ സമുദായത്തിൽനിന്നും ഒഴിവാക്കിയിട്ടില്ലെന്നുള്ളവിവരം എന്റെ സ്നേഹിതനും അറിവുള്ള സംഗതിയാണെന്നു ഞാൻ വിശ്വസിക്കുന്നു. ഇന്നും മി. ബേക്കറിന്റെയും മററും ഭാര്യമാർ ക്രിസ്തുമതത്തിലും ഹിന്ദുമതത്തിലുമററും നിൽക്കുയാണു. ഈവക കാരണങ്ങളാൽ ഈ ഭേദഗതിയെ ഞാൻ ശക്തിയായി എതിക്കുകതന്നെ ചെയ്യുന്നു.

[Mr. A. K. Kumaran Vaidyan]

എനിക്കു പറയാനുള്ളതെന്തെന്നാൽ മതത്തിന്റെ പേരിൽ ആരുടേയും സ്വാതന്ത്ര്യാവകാശം ബലികഴിക്കാൻ പാടില്ലെന്നാണ്. അതായതു വ്യക്തികളുടെ ഇംഗിതസാദ്ധ്യത്തിനു വേണ്ടി മതത്തെ വലിച്ചുകൊണ്ടു വരികയും ചെയ്യുന്നതാണ് ഈ കാണുന്നതു് എന്നാണ് എനിക്കു് പറയാനുള്ളതു്. സമുദായനന്മയ്ക്കു് മതം ഒരിക്കലും പ്രതിബന്ധമായി നില്ക്കരുതെന്നാണ് ഞാൻ വാദിക്കുന്നതു്. മാത്രമല്ല, തിരുവിതാംകൂറിൽ ക്ഷേത്രപ്രവേശന വിളംബരം പൊന്നുതമ്പുരാൻ തിരുമനസ്സുകൊണ്ടു് തുല്യം ചാർത്തിയതിനാൽ ഇന്നു ഹിന്ദുക്കളും മുസ്ലിങ്ങളും ക്രിസ്ത്യാനികളും ഇതരസമുദായക്കാരും ഒരുപോലെയായിത്തീർന്നുവെന്നും മി. മഹമ്മദ് പറയുന്നു ബ്രിട്ടീഷ് ഇൻഡ്യയിൽതന്നെയും ഹിന്ദുക്കളും മുസ്ലിങ്ങളും തമ്മിൽ പലയിടങ്ങളിലും യോജിച്ചു പ്രവർത്തിക്കുന്നു എന്നു പറയുന്നു. അതു് അവരുടെ രാഷ്ട്രീയശക്തി ഉറപ്പിക്കാനല്ലാതെ ഹിന്ദുക്കളെ സഹായിക്കാനല്ല എന്നാണു എന്റെ അഭിപ്രായം. തിരുവിതാംകൂറിൽ ഈ ബില്ലിന്റെ ആവശ്യം ഇല്ലെന്നു് പറയുന്നതിന്റെ അർത്ഥം എന്തെന്നു മനസ്സിലാക്കുവാൻ എനിക്കു സാധിക്കുന്നില്ല. നാം എല്ലാമതക്കാരും യോജിച്ചു പ്രവർത്തിക്കുന്നപക്ഷം സ്വത്തിനുള്ള അവകാശവും അഭിവൃദ്ധിയും എല്ലാ സമുദായങ്ങൾക്കും ഒരുപോലെ ഉണ്ടാവുകയും ചെയ്യും. ഈ മാതിരി കാര്യങ്ങളിലെങ്കിലും സമുദായവിദ്വേഷം ഒരിക്കലും ഉണ്ടായിരിക്കാൻ പാടുള്ളതല്ല. ഒരു സമുദായത്തിൽപ്പെട്ട ഒരു പുരുഷൻ മറ്റൊരു സമുദായത്തിൽപ്പെട്ട ഒരു സ്ത്രീയെ വിവാഹം ചെയ്തു് ഉണ്ടാകുന്ന കുട്ടികൾക്കു അവരുടെ പിതാവിന്റേയോ മാതാവിന്റെയോ സ്വത്തവകാശം തീർച്ചയായും നല്കുകതന്നെ വേണം. ഈ ഭേദഗതി പാസ്സായാൽ ഞാൻ ഉൾപ്പെട്ട സമുദായത്തിൽ മുഹമ്മദീയ സമുദായത്തിന്റെ ഒരു കൈകടത്തൽ വരാമെന്നാണ് ഞാൻ വിചാരിക്കുന്നതു്. മി. മഹമ്മദ് ഇവിടെ പറയുന്നു. കോട്ടുമാറുന്നതുപോലെ ചിലർ മതം മാറുന്നു എന്നു്. എന്നാൽ അഴുക്കു കഴുകികളയുന്നതുപോലെ ഭാര്യയെ മാറുവാൻ ഇസ്ലാംമതം സമ്മതിക്കുന്നു. എന്നാൽ ഞാൻ ഉൾപ്പെട്ട ഹിന്ദുസമുദായം അതിനെ എതിർക്കയാണ് ചെയ്യുന്നതു്. അതുകൊണ്ടു് ഗവണ്മെന്റു് ഈ കാര്യത്തിൽ വേണ്ട പരിഹാരം ചെയ്തു് ഈ ബിൽ ഉടനെ നിയമമാക്കിത്തരേണമെന്നു് അപേക്ഷിച്ചുകൊണ്ടു ഞാൻ മി. മഹമ്മദിന്റെ ഭേദഗതിയെ എന്റെ സമുദായത്തിന്റെ പേരിൽ, ശക്തിയായി എതിർക്കുന്നു.

MR. K. R. NARAYANAN: സർ, ബഹുമാനപ്പെട്ട സ്നേഹിതൻ മി: പി. എസ്. മഹമ്മദ് ഇവിടെ അവതരിപ്പിച്ച ഭേദഗതി സംബന്ധിച്ച് അതർഹിക്കുന്ന ബഹുമാനത്തോടുകൂടി സഹോദരസമുദായത്തിലെ ഒരു വ്യക്തി എന്ന നിലയിൽ ഞാൻ പല പ്രാവശ്യം ആലോചിച്ചതിൽ എന്റെ മാന്യസ്നേഹിതന്റെ — അദ്ദേഹത്തോടും അദ്ദേഹമുൾപ്പെട്ട സമുദായത്തോടും അത്യധികം ബഹുമാനം ഉണ്ടെങ്കിലും അദ്ദേഹത്തിന്റെ അഭിപ്രായത്തോടു യോജിക്കാൻ നിവൃത്തിയില്ലാത്തതിൽ അത്യധികം ഖേദിക്കുന്നു. മതപരമായ സംഗതികളിൽ അദ്ദേഹത്തിനു ചില നിർബന്ധങ്ങളുണ്ടെങ്കിലും പൊതുജനാഭിപ്രായവും പിൻതുണയും ഇദ്ദേഹത്തിനു ഇക്കാര്യത്തിലുണ്ടോ എന്നു ഞാൻ സംശയിക്കുന്നു. പൊതുജനങ്ങളുടെ പിൻതുണ അദ്ദേഹത്തിനു ഇക്കാര്യത്തിലില്ലെന്നു അതേ സമുദായത്തിൽപ്പെട്ട മി. മക്കാർപിള്ള വളരെ ഭംഗിയായും അടക്കമായും ഉള്ള ഒരു മറുപടി നൾകിയതിൽനിന്നു നമുക്ക് മനസ്സിലാക്കാം. പിന്നീട് ഇതേസംബന്ധിച്ച് ഞാൻ അധികമൊന്നും സംസാരിക്കേണ്ടയാവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. എന്നാൽ ഒരു കാര്യം പറയാതിരിക്കാനും നിർവാഹമില്ല. പൊതുക്കാര്യങ്ങളിൽ മതചിന്ത മുറുകെ പിടിക്കുവാൻ പാടില്ല. കേവലം ഒന്നോ രണ്ടോ വ്യക്തികൾ മാത്രം പ്രതികൂലമായി നിൽക്കുന്നതുകൊണ്ട് ഒരു നിയമം നടപ്പിലാക്കാൻ പാടില്ലെന്നു ശഠിക്കുന്നതു പരിതാപകരമാണ്. എന്റെ അറിവു മഹമ്മദുമതത്തെ സംബന്ധിച്ചിടത്തോളം വളരെ പരിമിതമാണ്. സവ് മതങ്ങളും ഒന്നാണെന്നും ജാതിമതചിന്ത വച്ചുകൊണ്ടിരിക്കുന്നതു പാപകരമാണെന്നും—ആണെന്നാണ് ഇസ്ലാംമതസ്ഥാപകനും സർവ്വജനാരാദ്ധ്യനും ആയ മഹമ്മദ്നിബി ഉപദേശിച്ചിട്ടുള്ളതു. അപ്രകാരം സഹോദരത്വം അസന്നിഗ്ദ്ധമായി ഉപദേശിച്ച ആ ലോകാചാര്യന്റെ വിശുദ്ധനാമധേയംതന്നെ വഹിക്കുന്ന സ്നേഹിതൻ മി. പി. എസ്. മഹമ്മദ്, ഒരു മഹമ്മദീയസഹോദരൻ ഒരീഴവസഹോദരിയെ വിവാഹം ചെയ്തശേഷം അതിൽ ഉണ്ടാകുന്ന സന്താനങ്ങൾക്ക് സ്വത്തവകാശം നൾകിയില്ലെന്നു വാദിക്കുകയാണെങ്കിൽ അതിന്റെ അർത്ഥം മനസ്സിലാക്കുവാൻ വിഷമമായിരിക്കുന്നു. ഒരു മഹമ്മദീയൻ ഒരീഴവസ്ത്രീയെ വിവാഹം ചെയ്താൽ, ഒരു മഹമ്മദീയൻ ഒരു നായർസ്ത്രീയെ വിവാഹം ചെയ്താൽ, ഒരു പുലയസ്ത്രീയെ വിവാഹം ചെയ്താൽ, —അവർക്കു കുട്ടികൾ ഉളവായാൽ അഗതികളാക്കി പുറംതള്ളണമെന്നു പറയുന്നതു് ഇസ്ലാംമതതത്വത്തിനും ധർമ്മത്തിനും യോജിച്ചതാണോ എന്നു മതത്തിന്റെ ശീതളച്ഛായയിൽ നിന്നുകൊണ്ട് ഞാൻ ചോദിക്കുന്നു.

[Mr. K. R. Narayanan.]

അടുത്തതായിട്ടുള്ളതു പൊതുജനാഭിപ്രായമാണ്. ഈ ആധുനികകാലത്തു ഒരു സംഗതിയിലും പൊതുജനാഭിപ്രായത്തെ വിഗണിക്കാവുന്നതല്ല. മദ്രാസ്, ബാംബേ, ബറോഡാ മുതലായ സ്ഥലങ്ങളിലെല്ലാം ഈ ബിൽ പാസായിക്കഴിഞ്ഞിട്ടും തിരുവിതാംകൂറിൽ മാത്രം മുസ്ലീം സമുദായത്തെ ഒഴിവാക്കണമെന്നു പറയുന്നതു് ഏതടിസ്ഥാനത്തിന്മേലാണെന്നു് അവധാനപൂർവം എന്റെ മാന്യസ്നേഹിതൻ ചിന്തിക്കണമെന്നു സഹോദരബുദ്ധ്യാ ഞാൻ അപേക്ഷിക്കുന്നു. ഒരുപക്ഷെ ഈ ബില്ലിനെ അനുകൂലിക്കാൻ തിരുവിതാംകൂറിൽ ധാരാളം മുസ്ലീങ്ങൾ ഉണ്ടായെന്നുവരാം. തിരുവിതാംകൂറിലെ മുസ്ലീങ്ങൾ—സ്ത്രീകളും പുരുഷന്മാരും വിദ്യാഭ്യാസത്തിലും മതപരമായ കാര്യങ്ങളിലും മനഃപരിഷ്ക്കാരത്തിലും ഉൽക്കർഷം പ്രാപിച്ചിട്ടുള്ളവരാണു. പുരുഷന്മാരോടൊപ്പമുള്ള സ്വാതന്ത്ര്യം സ്ത്രീകൾക്കും നൽകിയേ മതിയാവൂ എന്നുള്ളതും അവിതർക്കിതമായ ഒരു സംഗതിയാണ്. ഏതായാലും കൊച്ചിയിൽ ഈ ബിൽ പാസാക്കിയ സ്ഥിതിക്ക് തിരുവിതാംകൂർ മുസ്ലീങ്ങൾക്ക് എന്തുകൊണ്ടു നടപ്പിലാക്കിക്കൂടാ എന്നാണു എന്റെ ചോദ്യം. കൊച്ചിയും തിരുവിതാംകൂറും തമ്മിൽ ഒരു കൊതിക്കല്ലിന്റെ വ്യത്യാസം മാത്രമേയുള്ളു. മതപരമായും സാമുദായികമായും സംസ്കാരപരമായും കൊച്ചിയും തിരുവിതാംകൂറും തമ്മിൽ വലിയ വ്യത്യാസം ഒന്നും ഞാൻ കാണുന്നില്ല. കൊച്ചിയിൽ ഈ നിയമം പാസായിട്ടു കൊല്ലങ്ങൾ പലതു കഴിഞ്ഞു. മാത്രമല്ല, അവിടത്തെ നിയമസഭാസാമാജികന്മാരിൽപ്പെട്ട മുസ്ലീം മെമ്പറന്മാർ ഇതിനെ മുക്തകണ്ഠം ശ്ലാഘിച്ച് പാസാക്കുകയുമാണ് ചെയ്തതു്. ഇവിടത്തെ കാര്യം നേരേ മറിച്ചാണ്. ലീഗൽ റിമംബ്രൻസർ, മി. കെ. ജി. കുഞ്ഞുകൃഷ്ണപിള്ള സഭയിൽ ഈ ബിൽ അവതരിപ്പിച്ചപ്പോൾ അതിനെ ഹാർദ്ദവമായി സ്വാഗതം ചെയ്യേണ്ട മി. മഹമ്മദാണ് ഇന്നു അതിനുവേണ്ടി വാദകോലാഹലങ്ങൾ ഉണ്ടാക്കുന്നതു്. തിരുവിതാംകൂറിൽ ഈ ബില്ലിനെ എതിർക്കുന്നതിനു നിയമസഭാമെമ്പറായ മി. മഹമ്മദല്ലാതെ പുറത്താരും കാൺകയില്ലെന്നാണ് എന്റെ വിനീതമായ വിശ്വാസം. മി. മക്കാർപിള്ളതന്നെ ഈ ബില്ലിനെ അനുകൂലിച്ചതു് മുസ്ലീങ്ങളിൽ നൂറിനു നൂറുപേരും അനുകൂലിക്കുമെന്നുള്ളതുകൊണ്ടു മാത്രമാണ്.

അടുത്തതായി എനിക്കു പറയുവാനുള്ളതു് ഇതിനു ഒരു ചരിത്രം ഉണ്ടെന്നുള്ളതാണ്. ഇൻഡ്യയിൽ ഈ നിയമങ്ങൾ ഒന്നും പുത്തരിയല്ല. മുസ്ലീങ്ങളും ഉണ്ടായിട്ടുള്ളതായി ചരിത്രം നമ്മെ മനസ്സിലാക്കുന്നു. മുസ്ലീമിന്റെയും ഹിന്ദുവിന്റെയും സിരകളിൽ സഞ്ചരിക്കുന്ന രക്തം ഒന്നുതന്നെയാണെന്നു സൂക്ഷ്മമായി പരിശോധിച്ചാൽ ബോദ്ധ്യമാകുന്നു

താണ്. ഇതിനു എത്ര ഉദാഹരണം വേണമെങ്കിലും ചരിത്രത്തിൽ കാണാം. ഇൻഡ്യാചരിത്രം നോക്കുന്നപക്ഷം ഇൻഡ്യയിലെ മതങ്ങളെല്ലാം സാമ്പാർജാതിയിൽ നിലകൊള്ളുന്നതായി മനസ്സിലാകുന്നതാണു. ഒരുകാര്യംകൂടി എന്റെ ബഹുമാനപ്പെട്ട സ്നേഹിതനോട് ചോദിക്കുവാൻ ഞാൻ ആഗ്രഹിക്കുന്നു. ഇൻഡ്യാചക്രവർത്തിയായിരുന്ന അക്ബർ ഹൈന്ദവസ്ത്രീകളെ വിവാഹംചെയ്യാൻ ആഗ്രഹിച്ചു പ്രചാരണം നടത്തി, വിവാഹബന്ധത്തിലേർപ്പെട്ടുകയുംചെയ്തു. അദ്ദേഹത്തിന്റെ പിൻഗാമിയായ ജഹാൻഗീർചക്രവർത്തിതന്നെ ഒരു ഹിന്ദുസ്ത്രീയിൽ ഉണ്ടായ പുത്രനല്ലേ എന്നു ഞാൻ എന്റെ മാന്യസ്നേഹിതനോടു ചോദിക്കുന്നു. അതുപോലെതന്നെ മി: ജിന്ന ആരാണ്? അദ്ദേഹത്തിന്റെ മകളുടെ വിവാഹത്തെസംബന്ധിച്ചു ഞാൻതന്നെ ഈ സഭയിൽ മുൻപു ഒരവസരത്തിൽ പ്രസ്താവിച്ചിട്ടുള്ളതാണ്. ഇപ്രകാരം ഉദാഹരണം പറയാൻതുടങ്ങിയാൽ അവസാനം കാണുകയില്ല. അനേകം മുസ്ലീങ്ങൾ പല സമുദായത്തിൽനിന്നും പരസ്യമായി കല്യാണംകഴിച്ചു ജീവിക്കുന്നതായി എനിക്കറിയാം. പക്ഷെ നിയമമില്ലാത്തതുകൊണ്ടു രഹസ്യമായി കല്യാണംകഴിച്ചു വളരെ സുഖമായി ദാമ്പത്യജീവിതത്തിനു ഒരു ബ്രേക്കുംകൂടാതെ ധാരാളം മുസ്ലീങ്ങൾ ജീവിക്കുന്നതായും എനിക്കും എന്റെ മാന്യസ്നേഹിതനും നല്ലവണ്ണം അറിയാം. ചേർത്തലയിലും ആലപ്പുഴയിലും അരൂക്കുററിമുതൽ ആലപ്പുഴവരെയുള്ള സ്ഥലങ്ങളിലും പരസ്യമായും രഹസ്യമായും അമുസ്ലീങ്ങളുമായി ദാമ്പത്യജീവിതം നയിച്ചുകൊണ്ടിരിക്കുന്ന മുസ്ലിം സഹോദരങ്ങളെ എന്റെ സ്നേഹിതനു എന്നെക്കാൾ നല്ലപോലെ അറിയാം. ഇങ്ങനെയെല്ലാം ഇരുന്നിട്ടും അദ്ദേഹം മനഃപൂർവ്വം എതിർത്തു നിൽക്കുന്നതിൽ ഞാൻ ഖേദിക്കുകതന്നെചെയ്യുന്നു. ഇനി എനിക്കു വളരെപ്രധാനമായി പറയുവാനുള്ളതു് എന്റെ സ്നേഹിതൻ ഇത്രയധികം വെപ്രാളമൊന്നും കാണിക്കേണ്ട ആവശ്യം ഇല്ലെന്നാണു. ആവശ്യമെന്നു തോന്നിയാൽമാത്രം അന്യമതത്തിൽനിന്നും വിവാഹംചെയ്താൽമതി. ആർക്കും യാതൊരവസരത്തിലും ഇതൊരു നിർബന്ധനിയമമായി ഭവിക്കുന്നതല്ല. മതവും നിയമവും തമ്മിൽ വിഭിന്നപ്പെടുന്നില്ല. ഒരു മുസ്ലീമിനു ഒരീഴവസ്ത്രീയെ വിവാഹം ചെയ്യണമെന്നുതോന്നിയാൽ തടസ്സം ചെയ്യരുതെന്നുമാത്രമേ ഇതിനർത്ഥമുള്ളു. ഇതിൽ കവിഞ്ഞ ഒരു നിർബന്ധവും ഈ നിയമത്തിലില്ല. വേണമെങ്കിൽ അന്യമതത്തിൽ നിന്നും വിവാഹംചെയ്യാമെന്നുള്ള ഒരു സജഷൻ മാത്രമേ ഈ ബില്ലിൽ അടങ്ങിയിട്ടുള്ളു.

[Mr. K. R. Narayanan.]

പിന്നെ എന്തിനാണ് സ്നേഹിതൻ മി. മഹമ്മദ് ഈ എതിർവാദങ്ങളെല്ലാം പുറപ്പെടുവിക്കുന്നതെന്നു എനിക്കു മനസ്സിലാകുന്നില്ല. മി: ഈ സുബ്രഹ്മണ്യയ്യർ പറഞ്ഞതുപോലെ ഇതു ഒരു നിർബന്ധനിയമമാക്കിയെങ്കിലേ അനുസരിക്കയുള്ളു എന്ന മട്ടാണ് കാണുന്നത്. എന്റെ ബഹുമാന്യസ്നേഹിതന്റെ ചിന്താഗതിക്ക് ഈ ബിൽ ഒരു പ്രതിബന്ധമായി നിൽക്കാനുള്ള യാതൊരു ന്യായവും ഞാൻ കാണുന്നില്ല. ഇനി അദ്ദേഹത്തോട് എനിക്കു ചെയ്യാനുള്ള അപേക്ഷ ഒരു ചരിത്രം സൃഷ്ടിക്കാൻ പോകുന്ന ഈയവസരത്തിൽ ഒരു പ്രതിബന്ധം ഉണ്ടാക്കി പുരോഗതി തടയാൻ ശ്രമിക്കരുതെന്നു മാത്രമാണ്. ഈയവസരത്തിലെങ്കിലും പാകിസ്ഥാൻവാദവും സമുദായപ്രാതിനിധ്യവാദവും ഉലച്ചു ഇൻഡ്യൻ നാഗരികതയെ ഉണർത്തി സ്വാതന്ത്ര്യവും സമത്വവും സാഹോദര്യവും സമ്പാദിക്കാൻ ശ്രമിച്ചില്ലെങ്കിൽ അതിനുള്ള അവസരം ഇനി ഉണ്ടാകുന്നതു എപ്പോളാണ്. (President's Bell).

MR. H. O. L. MARIKKAR. Sir, last time when this Bill came up for discussion I did not speak because I differed very much in my view about marriage and other affairs discussed here. But as the bill has come a second time I made up my mind to stand up and express my views.

Regarding the amendment brought forward by Mr. P. S. Mahomed, as the Muslim community as a whole is against this Bill and as I belong to the same minority community I was trying my best to support the amendment. I asked Mr P. S. Mahomed to give me an opportunity by inviting a few Muslims to Quilon or Alleppey to discuss matters and convince me so that I may speak in support of the amendment. But I did not get that opportunity. The Mahomedan community is now sought to be excluded from the Penal Provisions of the Bill. So far as this Bill is concerned what I say is that such pieces of social legislation should not be brought piecemeal to suit different clauses. There must be a Bill regarding marriage or some such things that would effect all the communities alike. Of course there may be minority communities which may be affected. But there should be the give and take policy. In its place I am sorry to find that the Bill has been brought as a Special Marriage Bill. Owing to the dowry system there are hundreds and thousands of girls kept unmarried in the Christian, Nair and Mohamedan communities. A Bill like this may give them some relief. We are in the midst of a Great War and we do not know how long it will continue. We are recruiting people and the country is depleted of young men. So we must see to the production of man power.

PRESIDENT: That is not a serious problem so far as India is concerned.

MR. H. O. L. MARIKKAR: But we are sending out some recruits. England and America are producing aeroplanes and tanks in large numbers and they want men to handle these things. So we will have to supply recruits.

PRESIDENT: In England there is an approach before the Parliament to the effect the marriage should not affect any civil conditions that it should be open to the State to recognise people as soon as they are born irrespective of the fact whether there was a marriage or not and that it should be open to the father or the mother to claim the child and certain rules are being drafted for that purpose. A Bill also is being prepared in England by which women need not be known by the name of their husbands but by their own, that marriage should not alter their names and that each child that is born should get a portion of the property of the mother and a portion of the property of the father in certain circumstances. Such things are taking place. But we have not gone to that stage here.

MR. H. O. L. MARIKKAR: We have in Travancore religious feeling. We are communal. These communal feelings amongst us must end. We should have some higher views of life. This sort of life in Travancore must end. We must have some higher asperations. That asperation we expect to come from you Sir. In Travancore, we are passing our days without aspiring for any high goal. In any of the speeches that have been delivered from the Chair this session or previous to this we have not heard what will be our political regeneration after the war.

PRESIDENT: We are now concerned with the exemption of Mohamedans from the operation of the Travancore Special Marriage and Succession Bill.

MR. H. O. L. MARIKKAR: So long as there is no goal to aspire for, by this Special Marriage Bill, the communal feeling will continue and, Christians, Mohamedans and Nairs cannot join together and work amicably. After the war is over we do not know whether we will have internal and external independence, as any other country. Till that is known we will regard social marriage bill secondary.

PRESIDENT: So the honourable members point is that until our international status is recognised, this Bill need not be passed. Is that the point?

MR. H. O. L. MARIKKAR: The Bill must be passed. In order to reduce communal tension such piece meal reforms must come.

MR. M. SIVATHANU PILLAI: May I know whether the member can tell us what the view of the community is with regard to the exemption clause?

PRESIDENT: It is against Mr. P. S. Mahomed's amendment.

MR. M. SIVATHANU PILLAI: I wish to know whether the member can tell us what the view of the community is?

PRESIDENT: He said that an opportunity has not been given to ascertain it.

MR. H. O. L. MARIKKAR: I am not speaking for the Muslim community. I am only expressing my own views. I think every man must have the liberty of marrying whoever he likes and every woman the liberty of selecting whoever she likes.

MR. P. S. MOHAMED: സമുദായത്തിന്റെ അഭിപ്രായമെന്താണെന്നു മെമ്പർ അറിഞ്ഞിട്ടുണ്ടോ?

MR. H. O. L. MARIKKAR: If the community's opinion is different from mine I cannot help it.

PRESIDENT: The honourable member is perfectly entitled to give his own opinion.

MR. H. O. L. MARIKKAR: Every man and woman have the right to live together or make companionship as they like. To say that after their marriage if there are children they should inherit the man's property, will not solve the problem because even if we, fathers, uncles and brothers all jointly go in search of a husband for the girl we do not succeed in getting one who is physically and economically fit. Now the girl is left under the protection of the father and mother. Such a state of affairs must end. The State must take charge of the girl and the children. I am against the inheritance system.

PRESIDENT: If private ownership is abolished, then there will be no inheritance.

MR. H. O. L. MARIKKAR: First of all, the father has to provide for the child, feed him to a certain stage and bring him upon to a certain position and anything that is left after the father's death will be taken over by the child according to the bill. My opinion is that the children should not be allowed to succeed to the father's properties.

PRESIDENT: Then the State will distribute it.

MR. H. O. L. MARIKKAR: That will solve the problem.

MR. D. C. JOSEPH: Forward Travancore and a little piece of permissive legislation. Considerable progress has been made from the social point of view. The evils of orthodoxy was torn to pieces by a stroke, of the pen of His Highness the Maharaja. That has been the object lesson in Travancore.

Now there is a legislation for effecting all legalised contracts. The Muslims fear that their religion will be affected by this legislation. But what about the Gosha system? What about the Muslim ladies who come in for public service? A man can marry seven or nine ladies from his own community. But still the religion will not be affected. But he cannot marry a female from any other community. Then the religion will be affected. I do not think there is any justification for such a thing. If this noble piece of legislation is not introduced in Travancore which is coming forward in every respect I think there will be an abnormal growth of population. So this is a panacea for putting down that abnormal growth of population.

A man can have a number of females. If there is no provision in the piece of legislation for restriction and if it is left as it is there will be an increased number of off-springs. It is a pitiable position and

[Mr. D. C. Joseph]

something must be done. I think it is a noble attempt to do that. If no step is taken there will be danger not only in Travancore but it will spread to other parts of India. Therefore, I say that Travancore should take the lead to prevent it and give the other countries a good lesson. So I very strongly oppose this amendment.

MR. T. T. KESAVAN SASTRI: സർ, ഇതു് വളരെ പ്രാധാന്യമർഹിക്കുന്ന ഒരു പ്രശ്നമാകയാൽ ഒന്നു രണ്ടു കാര്യങ്ങൾ ഇവിടെ പ്രസ്താവിക്കുവാൻ ഞാനും ആഗ്രഹിക്കുന്നു. ഹിന്ദുക്കൾക്കു പൊതുവേ ഹിന്ദുലായും, ക്രിസ്ത്യാനികൾക്കു പൊതുവേ ക്രിസ്ത്യൻ ലായും, മഹമ്മദിയർക്കു പൊതുവേ മുഹമ്മദൻ ലായും നിലവിലിരിക്കുന്നുണ്ടെങ്കിൽ തന്നെയും ഓരോ മതവിഭാഗത്തിലും പെട്ട പ്രത്യേക വർഗ്ഗങ്ങളുടെ സാമുദായികവും സാമൂഹ്യവുമായ നന്മയെ പുരസ്കരിച്ചു് അനവധി നിയമങ്ങൾ ഇവിടെ ഉണ്ടായിട്ടുണ്ടു്. ഹിന്ദുക്കൾക്കു മൊത്തമായി ഹിന്ദുലാ എന്ന പേരിൽ ഒരു നിയമം ഇവിടെ ഉണ്ടായിട്ടും ഹിന്ദുക്കളുടെ പല വർഗ്ഗക്കാരും അവരുടെ വർഗ്ഗത്തിന്റെ സാമുദായികനന്മയെ പുരസ്കരിച്ചു് പ്രത്യേകം പ്രത്യേകം നിയമങ്ങൾ നടപ്പിലാക്കിയിട്ടുണ്ടു്. മേജർ സമുദായങ്ങളിലെ നിയമങ്ങൾക്കു വിധേയരായ ചില മൈനർ സമുദായങ്ങൾ അവരുടെ സാമുദായിക സംഘടനകളെ നയിച്ചുകൊണ്ടു പോകുന്നതായും നമുക്കറിയാം. നേരേമറിച്ചു് ഈ നിയമങ്ങളിലൊന്നും പരിരക്ഷിക്കപ്പെടാത്ത മൈനർ സമുദായങ്ങൾക്കു് വിവാഹബന്ധം മുതലായ കാര്യങ്ങളിൽ സാമുദായികമോ സാമൂഹ്യമോ ആയ ഒരു വ്യവസ്ഥയും ഇല്ലാതെ വളരെ വളരെ സങ്കടപ്പെടുന്നതായി അനുഭവമുണ്ടു്. നായർ ആക്ടിൽ നായർ സ്ത്രീകളിൽ ജനിക്കുന്ന സന്താനങ്ങൾക്കു മാത്രമേ സ്വത്തവകാശവും പിൻതുടർച്ചാവകാശവും ഉള്ളു എന്നും, അതുപോലെ ഈഴവ ആക്ടിലും വെള്ളാള ആക്ടിലും മററു അംഗീകൃതങ്ങളായ എല്ലാ സാമുദായിക ആക്ടുകളിലും അതാതു സമുദായങ്ങളിൽപ്പെട്ട സ്ത്രീകളിൽ ജനിക്കുന്ന സന്താനങ്ങൾക്കുമാത്രമേ സ്വത്തവകാശവും പിൻതുടർച്ചാവകാശവും ഉള്ളു എന്നും വ്യവസ്ഥ ചെയ്തിട്ടുണ്ടു്. എന്നാൽ ഒരു വ്യവസ്ഥയിലും ഉൾപ്പെടാതേയും ഒരു നിയമവും ഇല്ലാതെയും കഴിഞ്ഞുകൂടുന്ന അനവധി ന്യൂനപക്ഷസമുദായങ്ങൾ സ്വത്തവകാശം സംബന്ധിച്ചും പിൻതുടർച്ചാവകാശം സംബന്ധിച്ചും ഇന്നു് അനുഭവിച്ചുപോരുന്ന വൈഷമ്യങ്ങൾ എത്രമാത്രമാണെന്നു് പഞ്ചായത്തുകോടതികളിലും അതുപോലുള്ള മററു നിയമസ്ഥാപനങ്ങളിലും ഒരു അന്വേഷണം നടത്തിയാൽ മനസ്സിലാക്കാൻ കഴിയുന്നതാണു്. ഈ നിയമം നടപ്പിലായാൽ ഈ രാജ്യത്തെ സകല സമുദായങ്ങളേയും വർഗ്ഗീയസംഘടനകളേയും ബാധിക്കാവുന്ന

[Mr. T. T. Kesavan Sastri]

വ്യവസ്ഥകളാണ് ഇതിൽ രേഖപ്പെടുത്തിയിട്ടുള്ളത്. അങ്ങനെ ഒരു ബിൽ അവതരിപ്പിച്ച് പാസാക്കിയ ഗവൺമെൻറിനോടും നിയമസഭാംഗങ്ങളോടും അപേക്ഷിക്കുവാൻ തയ്യാറായ സാമാജികന്മാർ യഥാർത്ഥത്തിൽ അഭിനന്ദനം അർഹിക്കുന്നു. മഹാരാജാവു തിരുമനസ്സിലെ ക്ഷേത്രപ്രവേശന വിളംബരത്തിനുശേഷം ഈ ദായക്രമാവകാശത്തിന്റെയും പിൻതുടർച്ചാവകാശവ്യവസ്ഥകളുടെയും മേപരിൽ വലിയ വലിയ മാററങ്ങൾ വരുത്തുവാൻ അതിതീഷ്ണമായി ആഗ്രഹിക്കുന്ന ഒരു മനോഭാവം ഹൈന്ദവസമുദായ സമൂഹത്തിൽനിന്നുതന്നെ കാണുവാൻ ഇടയായിട്ടുണ്ടു. നായർ ആക്ടും, ഈഴവആക്ടും, വെള്ളാളആക്ടും. അതുപോലെയുള്ള മററാക്ടുകളും എല്ലാം മാററി ഹൈന്ദവർ എല്ലാവരും ഒന്നാക്കി ഏകീകൃതമായ പരിഗണനയിൽ എടുക്കുന്ന നിയമത്തിൽ ഉൾപ്പെടുവാൻ തയ്യാറാകുന്നയാളുകളും അനവധിയുണ്ട്. ഇതു ഹിന്ദുമതത്തെ മാത്രം സ്പർശിക്കുന്ന ഒരു കാര്യമല്ല. ക്രൈസ്തവരേയും മുഹമ്മദീയരേയും സംബന്ധിച്ചാണെങ്കിൽ രാഷ്ട്രത്തിനെ പൊതുവായി ബാധിക്കുന്ന കാര്യങ്ങളിൽ സാമുദായികമായോ സാമൂഹ്യമായോ പ്രതിബന്ധമുണ്ടാക്കുന്ന ഒരു നില അംഗീകരിക്കാതെ ജനപദത്തെ പൊതുവേ ബാധിക്കുന്ന നിയമത്തെ സർവജനങ്ങളും സ്വാഗതം ചെയ്യേണ്ടതാണ് എന്ന അഭിപ്രായമുള്ളവരാണ് അവരിൽ ഭൂരിപക്ഷംപേരും എന്നു എന്റെ അനുഭവംവച്ചുകൊണ്ട് എനിക്കു ധൈര്യമായി പറയുവാൻ കഴിയും. സ്പെഷ്യൽ മാരിയേജ് ആക്ടു പാസാകുന്നതായാൽ ഇത്തരം സാമുദായിക നിയമങ്ങളെ അതിലംഘിച്ചുകൊണ്ട് വിവാഹബന്ധത്തിലേർപ്പെട്ടിട്ടുള്ള വിവിധ സാമുദായിക അംഗങ്ങൾക്കും അവരുടെ സാമൂഹ്യമായ മററു പ്രതിബന്ധങ്ങളിൽനിന്നും മോചനം ലഭിക്കുന്നതിനും സമാധാനപരമായ ഒരു ജീവിതം കൈക്കൊള്ളുന്നതിനും സഹായകരമാകുന്നതാണ്. കവികൾ സാഹിത്യകാരന്മാർ ചിത്രകാരന്മാർ മററു മഹാശയന്മാർ പലരും ഈ പരിഷ്കൃതമായ ആശയത്തെ സ്വാഗതം ചെയ്തിട്ടുള്ളവരായിട്ടുള്ളവരാണ്. ഒരു മഹാകവി പറയുന്നതു് "ഈഴവന്റെ

ആഗ്രഹം"

പണ്ഡിതനായ ഒരു കവി, ഒരു ഹൈന്ദവ കവി, പറയുന്ന അഭിപ്രായമാണ് ഇതു. ഇതരമതക്കാരും വർഗ്ഗക്കാരും ഇതിനെ ഏറക്കുറെ അനുകൂലിക്കുന്നവരാണ്. ഈ സഭയും ഗവൺമെൻറു ഈ ബില്ലിനെ അംഗീകരിച്ചു സഹോദരരാജ്യമായ കൊച്ചിയിൽ നടപ്പിലാക്കിയതു

[Mr. T. T. Kesavan Sastri]
പോലെ സകല സമുദായക്കാരേയും ഒരുമിച്ചുചേൎത്തു ജീവിപ്പിക്കുവാൻ
സൗകൎയ്യം നൽകണമെന്നുംകൂടി അപേക്ഷിച്ചുകൊണ്ടു ഞാൻ ഈ ഭേദ
ഗതിയെ എതിൎക്കുന്നു.

MR. K. G. GOVINDAN: Sir, I oppose the amendment.

MR. P. S. MUHAMED: സർ, എന്റെ ഭേദഗതി അവതരി
പ്പിച്ചപ്പോൾതന്നെ ഇതിനെപ്പററി പല വാദമുഖങ്ങളും ഉണ്ടാകുമെന്നു
എനിക്കറിയാമായിരുന്നു. എന്റെ ബഹുമാന്യസ്നേഹിതന്മാരായ മെ
സേഴ്സ് മരക്കാർ, മക്കാർപിള്ള, എന്നിവർ ഈ ഭേദഗതിയെ എതിർ
ത്തു എന്നു കണ്ടതിൽ എനിക്കു അളവററ സന്തോഷമുണ്ട്. മി. മര
ക്കാരുടെ അടുക്കൽ ഇതിനെപ്പററി സംസാരിച്ച് ഏതാനും പ്രമാണി
കളുമായി ഒരു കൂടിആലോചന നടത്തുവാൻ സൌകൎയ്യം ഉണ്ടാക്കണ
മെന്നു ഞാൻ സുഖമില്ലാതെ ആശുപത്രിയിൽ കിടന്ന അവസരത്തിൽ
എന്റെ പേർക്കു അദ്ദേഹം എഴുതിയിരുന്നു. അതിനുശേഷം
പിന്നൊരിക്കൽ മി. മരക്കാരുമായി ഞാൻ ഇതിനെപ്പററി സംസാരിച്ച
പ്പോൾ സമുദായത്തിന്റെ പൊതുവെയുള്ള അഭിപ്രായം ബില്ലിനു
എതിരാണെന്നു അദ്ദേഹത്തിനു അറിയാമെങ്കിലും തന്റെ വ്യക്തിപര
മായ അഭിപ്രായം മറിച്ചാണെന്ന് എന്നോടു പറയുകയുണ്ടായി. ഇ
പ്പോഴും അതേനിലതന്നെ അദ്ദേഹം സ്വീകരിച്ചിരിക്കുന്നു. മി. മര
ക്കാരുടെ അഭിപ്രായം അദ്ദേഹത്തിന്റെ സ്വന്തവും സ്വാതന്ത്ര്യവും ആയ
ഒന്നാണ്. എന്നാൽ സമുദായം പൊതുവെ നിലകൊള്ളുന്നതു എ
ന്റെ ഭേദഗതിയെ അനുകൂലിച്ചാണു. സമുദായത്തിന്റെ അഭിപ്രാ
യം എത്ര വിപുലവും ശക്തിമത്തുമാണെന്നുള്ളതു് ഗവൺമെന്റിനെയും
സാമാജികന്മാരെയും ബോദ്ധ്യപ്പെടുത്തുവാൻ കഴിഞ്ഞിട്ടുണ്ടെന്നാണ്
എന്റെ വിശ്വാസം. അതുകൊണ്ട് എനിക്ക് അതിൽനിന്നും മാറുക
യെന്നുള്ളതു് സാദ്ധ്യമല്ല. മി. മക്കാർപിള്ളയുടെ വാദഗതി കുറെക്കൂടി
രസാവഹമാണ്. ആദാമിന്റെ ആദ്യത്തെ സന്താനങ്ങൾ സഹോദ
രികളെയാണ് കല്യാണം കഴിച്ചിട്ടുള്ളതെന്നും അതുകൊണ്ട് കൊറാൻ
ഇന്നും സഹോദരികളെത്തന്നെ കല്യാണം കഴിക്കുവാൻ അനുമതി നൽ
കുന്നുണ്ടെന്നും ആണ് അദ്ദേഹത്തിന്റെ വാദഗതി വ്യാഖ്യാനിക്കുന്ന പ
ക്ഷം മനസ്സിലാക്കാൻ കഴിയുന്നതു. കൊറാനു ചില സമുദായങ്ങളുമാ
യി വിവാഹം ചെയ്യുന്നതിനെ വിരോധിച്ചിട്ടുണ്ട്. ഇന്നത്തെ നിലയ്ക്കു
അത്തരം നിരോധിക്കപ്പെട്ടിട്ടുള്ള സമുദായങ്ങളുമായി വിവാഹബന്ധ

[Mr. P. S. Muhamed]

ത്തിൽചേർപ്പെടുവാൻ, അല്ലെങ്കിൽ കൊറാൻ നിരോധിച്ചിട്ടുള്ളതിനെ സ്വീകരിക്കുവാൻ, ഇന്ന് സമുദായത്തിന് അവകാശം ഇല്ലാ എന്നുള്ള അഭിപ്രായക്കാരനാണ് ഞാൻ. അതുകൊണ്ടു ഞാൻ ഈ ഭേദഗതിയെ പ്രസ്സ് ചെയ്യുന്നു.

PRESIDENT . Order, order. The question before the House is that the amendment of Mr. P. S. Muhamed, that in Clause 2; after 2 insert (a) within brackets, and after the clause, insert the following as sub-clause;—(b)

> "(b) Notwithstanding anything contained in the Act the provisions of this Act will not apply to the Muslims"

The amendment was put to vote and lost.

The question whether Clause 2 stands as part of the Bill was put and carried.

Clause 2 stands as part of the Bill.

The question whether Clauses 3 to 47 stand as parts of the Bill was put and carried.

Clauses 3 to 47 stand as parts of the Bill.

MR. P. S. MUHAMED : The following clause be added as Clause 48 after Clause 47 ;

> "When one of the party contracting marriage under this Act is a Mohammedan male or female the provisions relating to inheritance and succession under this Act will not affect the law of inheritance and succession under Mohammedan Law under which he or she is governed"

MR. M. R. NARAYANA PILLAI : From a reading of the amendment now proposed, a new clause in my reading, I find the fact of marriage was taken to be inheritance or succession in the Muhammedan Law.

PRESIDENT : The idea is this. Notwithstanding the fact that the procedure laid down in the Special Marriage Act is taken and followed the right of inheritance of issue will not be affected and it will only follow the rules of the Mohammedan Law.

MR. P. S. MUHAMED : ൨-ാമത്തെ ഭേദഗതി അവതരിപ്പിക്കുന്നു. സർ, ഞാൻ ഈ ഭേദഗതി അവതരിപ്പിക്കുന്നതിന്റെ ഉദ്ദേശം കൊച്ചിയിൽ പാസാക്കിയ സിവിൽമാരിയേജ് ആക്റ്റിൽ മുസ്ലീം സമുദായങ്ങൾക്കു നൽകിയിട്ടുള്ള ആനുകൂല്യവും സൗജന്യവും എങ്കിലും തിരുവിതാംകൂറിലുള്ള മുസ്ലിമിങ്ങൾക്കും ലഭ്യമാകണമെന്നുള്ളതാണ് അതിനുള്ള സന്മനസ്സ് എങ്കിലും എന്റെ ബഹുമാന്യസ്നേഹിതന്മാർക്കു ഉണ്ടാകണമെന്ന് എനിക്ക് അപേക്ഷയുണ്ട്. എന്റെ ഈ ഭേദഗതി സ്വീകരിക്കുന്നപക്ഷം വിവാഹബന്ധത്തിൽ ഏർപ്പെടുന്നവർ ആരെങ്കിലും ഒരാൾ ഒരു മുസ്ലീമായിരിക്കുന്നപക്ഷം അയാളുടെ അല്ലെങ്കിൽ അവളുടെ സാമുദായികനിയമപ്രകാരമുള്ള സ്വത്തവകാശത്തി

[Mr. P. S. Muhamed]

ന്നോ പിൻതുടർച്ചാവകാശക്രമത്തിന്നോ ഈ നിയമം ബാധകമാകുകയില്ല. അതായത് ഇന്ന് അവർക്കുള്ള സ്വത്തവകാശവും പിൻതുടർച്ചാവകാശവും ഈ നിയമം നടപ്പിൽ വന്നാലും നഷ്ടപ്പെടുന്നതല്ല.

MR. K. G. KUNJUKRISHNA PILLAI: This new amendment is not in order since it affects a negative concession.

PRESIDENT: Mr. P. S. Muhamed, I think you will realise as much as any one else that rightly or wrongly it is quite so. Part 3 of the Bill gives certain provisions for intestate succession. Your amendment gives negative of the intestate succession. I rule it out of order.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: The amendments made by the other House may be taken up for consideration and passed.

PRESIDENT: You may move them one by one.

(1) In clause 1, in short title of the Bill, the figures '1118' shall be substituted for the figures '1117'.

(2) Clause 32 shall be re-numbered as sub-clause (1) of that clause and before the explanation, the following shall be inserted as sub-clause (2), namely:—

> "(2) Notwithstanding anything Contained in Section 28 no person who marries under this Act shall be entitled to perform the functions of a Karanavan or Manager of the Joint family or to reside in the family house",

As a consequential amendment instead of "1118" the figure "1119" may be substituted.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I move that the bill be passed.

The motion was seconded and was put and carried.

RESOLUTIONS ON MATTERS OF PUBLIC INTEREST.

RESOLUTIONS RE: BEGGAR PROBLEM.

MR. G. VELU PILLAI: Sir, I move the following resolution:

> "This Assembly recommends to Government that immediate steps be taken to solve the beggar problem in the State".

I do not think a long speech is necessary from me to support this very important resolution. The beggar problem is one of the foremost and most difficult problems of the day, not only in this State but in all countries of the world. In some countries laws have been passed making begging criminal. Other countries claim to have solved the beggar problem completely. But I may say that it still survives in some form or other in every country. In Travancore, beggars are on the increase, especially in towns so much so the question of solving the beggar problem becomes more and more difficult.

Beggars include old people who are unable to work, the disabled and their children, able bodied people who are prepared to work but cannot get work and able bodied people who have adopted begging as a profession. It is easy to eliminate the last two classes of people which come to about fifty per cent. of the total population of beggars. Laws may be passed compelling those people to work and providing sufficient work

[Mr. G. Velu Pillai]

for them. The first two classes deserve the special consideration and sympathy of the Government as well as the public. One great difficulty that might arise in solving the beggar problem is that though work houses may be established for the able bodied beggars and Poor Homes provided for the poor and disabled, these people often do not resort to the work-houses and Poor Homes. They prefer to wander outside and pester the public. It is here that legislation is necessary.

In Lucknow begging is made criminal and we hear that beggars are leaving the town in numbers, though there is a beggar home run there by the Social Service League and approved by the Municipality where the able-bodied are provided with work and the disabled taken care of and fed. Madras and Bombay have tried to solve this problem, but I think they have not been successful to any large extent. In Calcutta I read in the newspapers some time ago that a beggar home is under construction and legislation also is under contemplation. Among the Indian States, Hyderabad is the first to pass any legislation on this subject. There a beggar home is provided for 600 beggars and a non-official committee is appointed to manage it. For the upkeep of this asylum a pie per rupee from their salary is given as voluntary contribution by Government servants. Other contributions are also received from the public.

Coming nearer home it is gratifying to note that a start in the right direction has been made by starting the "Vanchi Poor Fund" whose goal is "the amelioration of the condition of the the destitute and distressed without any distinction of caste or creed." This institution, Sir, is perhaps the noblest, the most philanthropic, the most useful and the most humane institution ever started in this land of charity. And the founders and active workers of this fund will ever be remembered and revered by posterity.

It is the Municipalities that ought to take up this question of solving the beggar problem. If the towns are rid of the beggars, it is easy to control their activities in the rural areas. The Kottayam Municipality has shown the lead in that it has already taken active steps in that direction. The other day, Sir, you referred to the Kottayam Municipality in your speech at the Trivandrum Mayor's party and you said that it is doing splendid work in solving the beggar problem and that Government are going to help the Municipalities by passing the necessary legislative measure. In Quilon also I hear that a move has already been started to construct a poor home and its philanthropic chairman has contributed a sum of Rs. 1,000 towards starting an institution. In Trivandrum the Sitalakshmi Ammal Hall, which is nearing completion, is expected to be the chief centre of feeding for the poor in Trivandrum. It is high time that all the other Municipalities which receive grant from Government actively take up this question and construct poor homes for the beggars.

Two things are necessary in order to solve the beggar problem. One is the question of sheltering and giving food to them; and the other is the adoption of legislative measures by Government. I hope

Government will do something immediately by appointing a committee or otherwise, to go into the question of effectively dealing with this most malignant manifestation of poverty in this land of charity.

MR. M. R. NARAYANA PILLAI: May I ask whether Fakirs are not allowed to parade the streets of Hyderabad?

MR. G. VELU PILLAI: I do not know.

MR. M. R. NARAYANA PILLAI: May I ask whether mendicancy is not tolerated by the Hindu Religion?

MR. G. VELU PILLAI: Whether it is tolerated or not, we can pass the necessary legislation to prevent the same, if necessary.

PRESIDENT: I think the ground will be cleared if I call upon the Chief Secretary to state what has been done so far. Mr. Chief Secretary.

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI: Sir, Government are too anxious to support compulsory legislation in regard to vagrancy and beggary. The only obstacle that stands in the way of this step is the absence of homes where compulsory segregation of vagrants and beggars can be enforced. Government are watching with very keen interest the experiment at Kottayam in this direction. Let me, in this connection, express the Government's appreciation of the praiseworthy efforts of that Municipality. Government have at present under consideration a comprehensive scheme for a Beggar Home being opened in Trivandrum. As soon as such a Home is started here, compulsory legislation will be passed for preventing beggary. Government are thankful for the suggestions made by the honourable member.

SADASYATILAKA T. K. VELU PILLAI: Sir, I am in entire support of this very useful resolution. Before making any observation, I wish to thank the Government for the expedition with which they are prepared to take up the question. So far as I have been able to understand from Chief Secretary's speech I find that Government will be prepared to do everything in their power. But in the interpretation of the term, "everything in their power" I wish to say that laws should be devised not merely for congregating beggars who are suffering from infectious and contagious diseases, not merely to collect them under common roof, but there must be a deliberate and effective system of taking some money regularly out of the pockets of everybody who can afford. Without the sinews of war nothing can be done. All of us are inclined to charity. All religions commend charity. But at the same time we do not want to aggregate human suffering. Suffering and poverty are on the increase notwithstanding the benevolent advice given by all religions. Therefore, Sir, the sanction must be not devised, not desired, not hoped, but the sanction should be embodied in a power vested in the Government to take out a certain definite portion of a man's earnings, leaving of course enough for him. So it is not a question of urban inhabitants and rural inhabitants. There should not be any question of officials and non-officials. All must contribute. In this country unless Government takes upon itself the duty of effectively collecting money the proverb ആരംഭശൂരത്വം has been found to assert itself in all these benevolent institutions. The Government is in a better position. Apart from different views which might be entertained by different people, this has to be done,

[Sadasyatilaka T. K. Velu Pillai.]

Sir I am very glad that people suffering from infectious and other contagious diseases will not be allowed to roam about. Speaking from personal experience especially for the last one year or so, I have chosen to sit in a front portion of my house, I see every day, without any exaggeration, in absolute truth, hundred to two hundred beggars on ordinary days and beggars without number on Saturdays. I do not know what specific virtue is there in a Saturday. Whatever that may be this has been my experience and although myself and the other members of the family are doing much in the way of distributing doles of corn, there have been instances, when with all my so called large-heart, for which I take some credit, I am obliged to feel miserable and turn that misery into the kinetic way by getting angry. Of course, there may be some servants who say "Go away, go away" and all that. There have been one or two instances in which no sooner does a beggar appear at the front of my house, than I get up and use my strength to call in a stentorian voice—so that even those servants who may be very far may hear and come at once—to send away the beggar for the reason that that beggar was affected with contagious diseases. One woman particularly, I have seen walking about the streets, a very handsome woman in those days, suffering from a loathsome disease and crying out. I have seen her going to every house though whenever I see her coming to my house, I try to send her away as soon as I see her coming.

I am very happy to see that certain methods will be devised to prevent beggary. I have only to say that Government must initiate a law with a strong hand. If, in war time, people may be encouraged to lose their lives in fighting for their country, are we not equally justified in taking something from the pockets of the men and women to end this misery, at least to mitigate this perpetual misery? What is the purpose of my taking a full meal, when I know full well that people around me are starving? I do not want to explain altruistic principles of the glories of charity. Nobody will be asked when he is face to face with eternal moment. 'How many cars did you purchase? Or how much sugar is used for a halwa?' The only question that one can expect to be put to one, is 'How many poor have you fed?,

With regard to the other point, on which attention has been drawn by Mr. G. Velu Pillai, about the Poor Home and the Vanchi Poor Fund, I wish to say just this. I am glad to say that the word is very significant, because 'Vanchi' not only means 'Travancore,' but as one who is interested in history, I may say, also connotes large quantities of things taken in a vanchi or boat, a boat that goes to every back water, creak or lagoon. That name is excellent. One other thing too I wish to mention here and I shall try to be very brief and very sober. But, all the same, when a man feels a thing, why not he say it? I have seen, Sir, hundreds of thousands of photos of one esteemed gentleman whom I have known for many years. But in one issue of Travancore Information I have seen the grandest picture of his, that

picture of his, in which he is depicted as laying the foundation stone of a memorial in his mother's name, in order to serve the humble, suffering Daridra Narayanans of this country. That picture is one which I shall never forget. I do not want to say anything more. I wish, Sir, apart from all other questions, apart from all considerations of Governmental Policy, drastic policy or soft policy, I want the whole thing to be taken up immediately and solved in a manner which will show the world that this shall state in the southern most corner of India has solved this problem.

MR. M. RAMIAH PILLAI : I beg to support the resolution. The beggar problem is one of the most pressing problems that we have got to tackle. Though we have progressed in many other ways, we are very much backward in the problem of organised beggar-relief. The presence of beggars on the roads, at our gates and almost in all the bus-stands, I can say, is a blot on the capital and the country which is known as Dharma Rajya. At any rate, it belies the boast of progress and culture.

Sir, Our Gracious Maharaja has led the way by founding the Trivandrum Poor Home. If I understand correctly, for want of public enthusiasm and support it is not working very satisfactorily as it ought to be. The Trivandrum Corporation is indebted to our Dewan President for his very kind advice given in one of the meetings held recently, that he will give all aid to the Corporation if it is prepared to solve this question successfully. And he also subscribed a liberal contribution of two thousand rupees to start with. As a member of the Trivandrum Corporation I wish to express that we have already started this noble work according to your kind advice and we have collected a substantial amount and we earnestly hope that with your kind help, very soon the question of organising beggar-relief will be done successfully. With these words I support the resolution.

MR. N. NARAYANA KURUP : സർ, ഞാൻ ഈ പ്രമേയത്തോട് പൂർണ്ണമായി യോജിക്കുന്നു. യാചകപ്രശ്നപരിഹാരം ഏതു കാലത്തും ഒഴിച്ചുകൂടാൻ പാടില്ലാത്ത ഒരു മഹൽകാര്യമാണെന്നാണ് എന്റെ അഭിപ്രായം. ഇന്ന് നമ്മുടെ രാജ്യത്തുള്ള യാചകരുടെ എണ്ണം നോക്കുമ്പോൾ അതു ആണ്ടുതോറും വർദ്ധിച്ചു വരുന്നതല്ലാതെ അതിന് യാതൊരു കുറവും കാണുന്നില്ല. ഇവരെല്ലാം തന്നെ തിരുവിതാംകൂറുകാർ മാത്രമാണെന്ന് പറയാൻ ഞാൻ മടിക്കുന്നു. ധർമ്മരാജ്യമെന്ന പേരും പെരുമയും സമ്പാദിച്ച ഈ നാട്ടിന്റെ ധാർമ്മികമനസ്ഥിതികൊണ്ടും നമ്മുടെ രാജ്യത്ത് എത്ര സാധുക്കൾ വന്നാലും ആരും അവരെ ഉപേക്ഷിക്കയില്ലാ എന്നുള്ള വിശ്വാസംകൊണ്ടും ആണ് അനേകായിരം ആളുകൾ വെളിയിൽനിന്നും വരുന്നത്. ഇങ്ങനെ ദൈനംദിനം വർദ്ധിച്ചുകൊണ്ടിരിക്കുന്ന യാചകപ്രശ്നം കഴിയുന്നതും വേഗത്തിൽ പരിഹരിക്കപ്പെടേണ്ടതാണ്. എന്നാൽ ഇവരെല്ലാംതന്നെ യാചകരാണെന്ന് പറയാൻ ഞാൻ മടിക്കുന്നു. ഇന്ന് ആഹാരസാധനങ്ങൾ കിട്ടുന്നതിനുള്ള

[Mr. N. Narayana Kurup.]

വിഷമംകൊണ്ടു് കയ്യിലുള്ള ധനംകൊണ്ടു വാങ്ങാവുന്ന സാധനങ്ങൾ പോരാതെ വരുന്നതുനിമിത്തം വീടുകളിൽചെന്നു് കുക്ഷി പൂരണാർത്ഥം യാചിക്കുന്ന ഒരു സംഘം ആളുകളുമുണ്ടു്. വല്ലതും കൊടുക്കാൻ സന്മനസ്സുള്ള പൌരന്മാർക്കും ആഹാരസാധനദൌർല്ലഭ്യംകൊണ്ടു്, യാചകരെ സഹായിക്കാൻ നിവൃത്തിയില്ലാതിരിക്കുന്നു. വിശേഷിച്ചും, വ്യക്തിപരമായ ധർമ്മംകൊണ്ടുമാത്രം വർദ്ധിച്ചുവരുന്ന യാചകപ്രശ്നം പരിഹരിക്കാൻ സാദ്ധ്യമാകയില്ല. ഇങ്ങിനെ പലതരത്തിലും യാചകർ വർദ്ധിച്ചുവരുന്ന ഒരു അവസ്ഥയിൽ അതിനെ പരിഹരിക്കുന്നതിനു ആവശ്യമായ നിയമം ഉണ്ടാക്കേണ്ടതു് ഏററവും പ്രധാനമായ ഒരു ചുമതലയാണെന്നാണു് എന്റെ അഭിപ്രായം. ദിവാൻജി അവർകൾ ഒരു പ്രസംഗത്തിൽ ഈ യാചകപ്രശ്നത്തെ സംബന്ധിച്ചു പ്രസ്താവിച്ച ഭാഗം ഞാൻ ഇവിടെ ഉദ്ധരിച്ചുകൊള്ളട്ടെ. "ഒരു രാജ്യത്തെ വ്യാപകമായ ദാരിദ്ര്യത്തിന്റെ പരിപൂർണ്ണപ്രദർശനമാണു യാചകകാര്യം. അതു വർദ്ധിക്കുമ്പോൾ വ്യക്തിപരമായ ധർമ്മമൊ, വ്യക്തികളുടെ ധാർമ്മികപ്രവർത്തനമൊ കൊണ്ടു് യാതൊരു പരിഹാരവും ഉണ്ടാകയില്ല. പൌരാണികമതങ്ങൾ ഘോഷിക്കുന്ന വ്യക്തിധർമ്മവും ഭൂതദയയും ഒരു വമ്പിച്ച യാചകപരിതഃസ്ഥിതിയെ നേരിടാൻ പര്യാപ്തമാകയില്ല. സംഘടിതമായ ധർമ്മസ്ഥാപനങ്ങളാൽ മാത്രം സാധിക്കാവുന്ന യാചകദുരിതപരിഹാരവും നിവാരണവും വ്യക്തികളുടെ ധാർമ്മികതത്വംകൊണ്ടുമാത്രം പരിഹരിക്കപ്പെടുമെന്നു പറയുന്നതു് അബദ്ധമാണു്. അതിനാൽ സംഘടിതശ്രമത്തെ അവഗണിക്കാൻ പാടില്ല. അവഗണിക്കുന്നപക്ഷം ഇപ്പോൾ തന്നെ നിസ്സാരമായിത്തീർന്നിരിക്കുന്ന ജീവിതം കുറെക്കൂടി വഷളാകുന്നതായിരിക്കും."

ഈ സംഘടിതശ്രമങ്ങൾ ഒന്നിച്ചുചേർത്തു അതിൽ ഒരു കേന്ദ്രം സൃഷ്ടിച്ചു ആ കേന്ദ്രത്തിൽനിന്നു സാധുസഹായം തിരുവിതാംകൂറിലെ എല്ലാ താലൂക്കുകളിലും വ്യാപിക്കുന്ന ഒരു വ്യവസ്ഥ ഉണ്ടാക്കുകയും ആ വ്യവസ്ഥ നിയമപ്രകാരം സാധൂകരിക്കയും ചെയ്യുന്നതു ഒരു മഹൽകാര്യമാണെന്നാണു് എന്റെ വിനീതമായ അഭിപ്രായം. സർ, തിരുവിതാംകൂറിന്റെ പല പ്രധാന പട്ടണങ്ങളിലും ഇതിനെ പരിഹരിക്കുന്നതിനു വേണ്ടി പല സ്ഥാപനങ്ങളും തുടങ്ങിയിട്ടുണ്ടു. ഇതിന്റെയെല്ലാം കേന്ദ്രമായി വഞ്ചി പൂവർ ഫണ്ടിനെ പരിപോഷിപ്പിച്ചു് ഓരോ താലൂക്കുകളിലും അതിന്റെ ശാഖകൾ രൂപീകരിച്ചു് പ്രവർത്തിക്കുന്നപക്ഷം അതു ഒരു സംഘടിതസ്ഥാപനമായിരിക്കും. വഞ്ചി പൂവർ ഫണ്ടു് എന്നുള്ളതിനു എന്റെ വ്യാഖ്യാനം, സാധുക്കളെ സഹായിക്കാനുള്ള മൂല

ധനവഞ്ചി, അല്ലെങ്കിൽ ഭണ്ഡാരം എന്നാണ്. ഇന്നത്തെ സ്ഥിതി നോക്കുകയാണെങ്കിൽ ഈ ഫണ്ടിലേക്കു മലയിൽനിന്നും വെള്ളം ഒഴുകി വരുന്നതുപോലെ പണം ഒഴുകി വന്നുകൊണ്ടിരിക്കുന്നു. ഇതു്, ഈ സ്ഥാപനം തുടങ്ങിയ ആളിന്റെ ഈ കാര്യത്തിലുള്ള മഹാമനസ്കതയെ വ്യക്തമാക്കുന്നു എന്നു പറയാൻ ഞാൻ മടിക്കുന്നില്ല. സർ, ആലപ്പുഴ കഴിഞ്ഞ തിരുനാൾ ദിവസത്തിൽ തുടങ്ങിയ കഞ്ഞിവീഴ്ത്തു മേട മാസംവരെ തുടർന്നുനിന്നു. ശരാശരി ൭൫ രൂപാ വീതം ചെലവുണ്ടായിരുന്നതു് വർദ്ധിച്ചു വളരെ കൂടിയിട്ടുണ്ടു. ആ വക വകവയ്ക്കാതെ ഇപ്പോഴും അതു വീണ്ടും ആരംഭിച്ചു നടത്തിവരുന്നു. ശരാശരി ൩൦൦൦ പേർക്കു ദിവസവും ഉച്ചയ്ക്കുതന്നെ ആഹാരം കൊടുക്കുന്നു. പത്രദ്വാരാ പരസ്യപ്പെടുത്തി അറിയിക്കുന്നില്ലെങ്കിലും ആലപ്പുഴയിലെ ധനവാന്മാരും ആർദ്രഹൃദയരും ചേർന്നു് ഇന്നു് ഈ ആഹാരവിതരണം നടത്തിവരുന്നു. ഇതുപോലെ ഇന്നു തിരുവിതാംകൂറിൽ മറ്റിടത്തും നടത്തുന്നില്ലെന്നാണെന്റെ വിശ്വാസം. കോട്ടയത്തും ഇപ്പോൾ ഒന്നു തുടങ്ങിയതായി അറിന്നാം. അതിനുള്ള പ്രചോദനംതന്നെ തിരുനാളിനു പത്തു ദിവസം മുൻപു മുതൽ എല്ലാ സ്ഥലത്തും കഞ്ഞിവീഴ്ത്തു നടത്തണമെന്ന ഉദ്ദേശത്തോടുകൂടി ഗവണ്മെന്റിൽനിന്നും ചെയ്ത സംഭാവന മാത്രമാണു് ഇങ്ങനെ കൊടുക്കാൻ ജനങ്ങളെ പ്രേരിപ്പിച്ചതു്. ഇത്ര മഹത്തായ ഒരു കാര്യം ഇങ്ങിനെ തുടർന്നുകൊണ്ടുപോകുന്നതിനു ഒരു വ്യവസ്ഥ ഉണ്ടാക്കണമെന്നാണു് എന്റെ വിനീതമായ അഭിപ്രായം. ആലപ്പുഴ കാളറ ആരംഭിച്ചപ്പോൾ ആദ്യമായി മൂന്നു ദിവസംകൊണ്ടു ൩൦൦൦ സാധുക്കളെ കുത്തിവയ്ക്കാൻ സാധിച്ചു. കുത്തിവയ്ക്കുന്നതിലുള്ള വിശ്വാസംകൊണ്ടോ കുത്തിവച്ചാൽ കാളറ വരുകയില്ല എന്നുള്ള ബോധംകൊണ്ടോ അല്ലാ, അവർ ഇതിനു വഴിപ്പെട്ടതു്. കുത്തിവച്ചാലേ കഞ്ഞികൊടുക്കു എന്നു അവരോടു പറഞ്ഞതുകൊണ്ടാണു് അവർ സന്തോഷത്തോടുകൂടി കുത്തിവയ്ക്കാൻ സമ്മതിച്ചതു. രണ്ടു വയസ്സുള്ള കുട്ടി മുതൽ ൭൦ വയസ്സുള്ള കിഴവൻ കിഴവിവരെ ഇതിൽ ഉൾപ്പെട്ടു. ഇങ്ങിനെയുള്ള സ്ഥാപനങ്ങൾ ഉണ്ടാക്കിയാൽ സാംക്രമിക രോഗങ്ങൾ പിടിപെടുന്ന അവസരത്തിൽ സാധുക്കളെ ഒന്നിച്ചുകൂട്ടുന്നതിനും സാംക്രമികരോഗങ്ങൾ അവരുടെയിടയിൽ പടന്നു പിടിക്കാതെയും അവരിൽനിന്നും പകരാതെയും വേണ്ട നിവാരണമാർഗ്ഗങ്ങൾ ഉടനടി ചെയ്യുന്നതിനും എളുപ്പം സാധിക്കുന്നതാണു്. സർ, എന്റെ അഭിപ്രായത്തിൽ ആദ്യമായി തിരുവിതാംകൂറിലുള്ള എല്ലാ യാചകരുടേയും ഒരു സെൻസസ്സ് എടുക്കണം. അതു് കഴിഞ്ഞു് തിരുവിതാംകൂറിനു വെളിയിൽ നിന്നു

[Mr. N. Narayana Kurup.]

വന്ന യാചകന്മാരെയെല്ലാം നാടുകടത്തണം. യാതൊരു വേലക്കും പോകാൻ നിവൃത്തിയില്ലാത്തവരെ പ്രത്യേകം തിരിച്ച് അവരെ സംരക്ഷിക്കുന്നതിന് ഒന്നോ രണ്ടോ സ്ഥാപനങ്ങൾ ഉണ്ടാക്കി അവരെ സംരക്ഷിക്കണം. വേല ചെയ്യാൻ സ്വാധീനമുള്ളവരും വേലയില്ലാതെ വിഷമിക്കുന്നവരുമായ സാധുക്കൾക്ക് പ്രത്യേകം കെട്ടിടങ്ങൾ ഉണ്ടാക്കി അവരെക്കൊണ്ട് കുടിൽവ്യവസായം മുതലായവ ചെയ്യിപ്പിച്ച് അതിൽനിന്നുമുള്ള ആദായം എടുത്ത് അവരെ സംരക്ഷിക്കണം. ഈ ആദായംകൊണ്ട് അവരെ സംരക്ഷിക്കത്തക്ക നിലയിൽ കുടിൽവ്യവസായത്തെ വിപുലപ്പെടുത്തണം. രോഗബാധിതരായവരെ പ്രത്യേകകെട്ടിടങ്ങളിൽ മാററി താമസിപ്പിക്കണം. ഇതിനുള്ള ചിലവിലേയ്ക്ക് ഒരു പ്രത്യേക യാചകകരം ചുമത്തുന്നതുപോലും ജനങ്ങൾ സസന്തോഷം കൊടുക്കുന്നതായിരിക്കും.

MR. N NARAYANA KURUP: ഇതെല്ലാം ചെയ്തശേഷം യാചകവൃത്തിയെ ശിക്ഷാർഹമാക്കണം. പ്രത്യേക കരം ഏർപ്പെടുത്തുന്നതും യാചകപ്രശ്നപരിഹാരത്തിന് ഒരു ഉത്തമമാർഗ്ഗമാണ്. കരം ചുമത്തുന്നതിൽ തിരുവിതാംകൂറിലെ യാതൊരു വ്യക്തിയും ആക്ഷേപം പുറപ്പെടുവിക്കുമെന്ന് ഞാൻ വിചാരിക്കുന്നില്ല. ആലപ്പുഴപട്ടണത്തിൽ തന്നെ കഞ്ഞിവീഴ്ത്തു തുടങ്ങിയതിനുശേഷം മുമ്പുണ്ടായിരുന്നതിൽ ദശമാനം യാചകർപോലും വീടുകളിൽ വന്നിട്ടില്ലെന്ന് ഞാൻ സധൈര്യം പറയുന്നു. അതുകൊണ്ട് ഇതുപോലെ അവർക്ക് ആഹാരം കൊടുക്കുന്നതിനും മററുമായ പ്രവർത്തനം ശരിയായ ഒരു നിയമത്തിന് അധീനമാക്കുകയും ചെയ്യുന്നപക്ഷം യാചകർ വീടുകളിൽ വരികയൊ, നമ്മെ ഉപദ്രവിക്കുകയൊ ചെയ്യുകയില്ലെന്നാണ് എന്റെ അഭിപ്രായം. ആദ്യമായി, മുനിസിപ്പൽ പട്ടണങ്ങളിൽ യാചകരുടെ സെൻസസ് എടുക്കുകയും അവർക്ക് മുൻപറഞ്ഞ രീതിയിൽ സൌകര്യംചെയ്തുകൊടുക്കുകയും ചെയ്യണം. അതിനുശേഷം, യാചകവൃത്തി ശിക്ഷാർഹമാക്കണം. ചിലവുവകയ്ക്കു ഒരു കരം ചുമത്താൻ നിർദ്ദേശിക്കണം. ഇങ്ങനെ ഒരു പരീക്ഷണം നടത്തി ഫലപ്രദമെന്നു കാണുന്നപക്ഷം ആ രീതിയിൽ ഗ്രാമപ്രദേശങ്ങളിലും പ്രവർത്തനം തുടങ്ങണം. അതുകൊണ്ട് കഴിയുന്നതും വേഗം യാചകപ്രശ്നത്തിനു ഒരു നിയമം ഉണ്ടാക്കി, വഞ്ചി പൂവർഫണ്ടിന്റെ പല ശാഖകളും നടപ്പിൽ വരുത്തി ഈ പ്രശ്നത്തിനു ഒരു പരിഹാരം ഉണ്ടാക്കണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു.

MR. D. C. JOSEPH: Sir, I rise to support the motion with trebled up strength—our motto "Charity is our household Divinity", piloting Vanchi's poor Fund by the Dewan and the Chief Secretary's assurances. I am extremely happy to support such a resolution, 'Charity is our Household Divinity' is our motto. The Vanchi Poor Fund has been started with a very noble object. Its only mission is to ease the misery of beggars and by and by that is being carried on in several parts of Travancore. The Chief Secretary's benevolent promise made from time to time to consider the beggar problem and alleviate their sufferings, will go to help the good intention of Government.

Sir, the beggar problem in Travancore has assumed an enormous magnitude from one end of the State to the other and it really deserves the generous support of Government in the general safety of the public. Of course, it has to be conceded that Government are doing substantial things to relieve the growing menace in this State. It is natural for any one to think that in a State like ours which is rapidly growing in population the existence of beggars will be a source of danger to the welfare of the State. It is very necessary therefore that these people who are capable of spreading infection to the people at large are brought under proper control. Such a business has first to be tackled by the Municipalities. They are autonomous bodies who enjoy self-Government in a substantial measure. They are in a position to do things independently of Government. In the circumstances, they are the proper persons who have leisure at their disposal to commence work in such a direction. Government can only extend their quota of help to such a measure. To that extent, the work of Government will be lessened.

In Travancore the problem of beggars demands immediate attention as it not only strengthens poverty but develop unemployment among the lazy and the poor taking their abode in every nook and corner. All sorts of beggars and other undesirables are roaming about the town in large numbers give an unpleasant sight. Such people to be found in a capital city like this is certainly a serious question. That problem deserves the immediate attention of Government though a tremendous task. Government have already taken the initiative on such a vexed problem. This is due to the dictum "Charity is our household Divinity". We are really indebted to the Dewan-President for the greatness shown in the institution of the Vanchi Poor Fund and its very successful working. It has been started under very noble auspices and it is now under the hands of a noble management so far as its direction is concerned. I am sure that is really doing good work and its scope is being enlarged very quickly. Its initiation will be sufficiently rewarded. Under these circumstances, I strongly support the resolution.

MR. P. KUNJUKRISHNAN: Sir, I rise to support the resolution. The problem of poor beggars must receive the attention of the House as well as the Government in an increasing measure in future. It is no doubt true that for some time past institutions like the Vanchi

[Mr. P. Kunjukrishnan.]

Poor Fund and the Poor Home are great institutions engaged in the relief of the poor. They have taken a concrete shape. That problem has indeed become acute because of the present economic condition, and changes due to that. There are two kinds of beggars, the able bodied and the weak and the infirm. It is the able bodied that we find in larger numbers than the weak. When we ask the able-bodied why they are going about begging they say that it is their profession by caste. My submission is that this is never to be tolerated. As far as my information goes, many of these able bodied beggars come to our State taking advantage of the charitable disposition of the people. Now, Sir, legislation has to be enacted in the direction of controlling the beggar problem. In the neighbouring State of Mysore, I may submit, that a census has been taken, statistics collected about the beggars and according to that calculation, their number is about 50,000. They are the weak and infirm of the whole of Mysore and the Government of Mysore have asked the able bodied men to go and work for their food. The weak and infirm beggars suffering from contagious diseases are given help and protection in the form of clothes, food etc. in poor houses. Now, something like that has to be done in this State also. In rural areas also there is the trouble of beggars. In urban parts, the beggar problem has become a veritable nuisance. The beggars suffering from contagious diseases roam about freely not only in streets and in the vicinity of shops and market places but in every house also. The whole problem has to be viewed from a humanitarian stand point. I may submit that the steps taken in the form of Vanchi Poor Fund and poor homes, are looked up to with great delight and appreciation by the people of the State. My submission is that these steps may be strengthened by necessary legislation and if need be people will be very glad to pay if additional taxation is also resorted to for this purpose.

PRESIDENT: I think the matter has been discussed sufficiently but I believe that the difficulties of the problem have not been fully appreciated. There are three indispensable steps necessary before legislation of a compulsory character can be contemplated. The first step is a census (a) of able-bodied beggars, (b) of vagrants who use begging as a caste or hereditary occupation or profession and (c) of diseased, especially infectious, beggars. We have to deal with each of these problems differently. But whatever may be the ultimate treatment of that problem, it is necessary that on a particular day we should know who are the beggars in the State and to take steps from that moment to prevent the influx of more beggars. That is extraordinarily important, the reason being that if an organised system of beggar relief is started in one locality or in one State, while such beggar-relief is not extended in the neighbouring locality or the neighbouring State or neighbouring district, there will be a termendous influx of people from that district or locality into this State. That is the first step to be taken.

Secondly, after having taken that census, you will have very rigorously to examine the case of persons who say that, by their hereditary profession or their religion, begging is the means by which they live

Some of us have definite views on that point because, most of the sacred Scriptures whether of Hindus, Christians or Muslims have made clear the limits and the conditions of mendicancy as a religious pursuit or profession. If the dictates of our religion and of our philosophy are properly applied, probably it will be found that more than a hundred people would come within that category within the State. This must be dealt with separately in some manner and the rest compulsorily driven to work for their livelihood. Therefore, the able-bodied beggar, the person who pretends that by his caste or his hereditary avocation, he must beg, must be compelled to work for a living. Therefore a beggar-home is only one small part of the programme. An infirmary, a properly conducted place, an industrial establishment or a series of establishments where these persons can work and can be fed is equally important. Beggars who may be properly so-called and really catered to are only those who either by age or youth or infirmity or suffering from some kind of disease are not enabled to pay their way. It is after making provision for all those beggars in the chief centres of population in the State, that compulsory legislation can be resorted to, because, it would be unfair not to give any provision for the helpless beggar but nevertheless to drive him out of the streets, who knows where, without the prospect of even that sporadic personal charity which is now such a characteristic feature of the countryside and even in the towns. Therefore, taking a matter of fact, businesslike view of the matter, we have first to create 1, 2, 3, 4, or 5 beggar-homes in the State which will accommodate those who are infirm or diseased; and for that purpose, let us calculate that there are about 10,000 of them. Until and unless you have housed and made provision for the feeding of these 10,000 people, there is no question of compulsory legislation. I feel as strongly as, if not more strongly than, most people here that this problem of beggars is one which is a source of personal and national humiliation for two reasons. A beggar as such is not condemned in our Scriptures. Each one of us, the community to which I belong, has to earn his food by begging during the period of his student ship from the age of 18 to 24. The tradition is that a Brahmin should, with vessel in his hand, go and get voluntary meals from the philanthropically inclined people and live on it. But on the other hand what is happening is that there has been a new clash between what may be called other forms of begging, other aspects of begging and this There has been a terrible confusion and today begging has assumed a disgusting form. To me, as an Indian, the spectacle at every railway station in India is a source of profound national humiliation. Able-bodied boys are taught or encouraged by their parents to go and beg loudly and openly so that they may get something from the richer travellers on the railway. Wherever the train stops, from Delhi, down to Trivandrum, I must say that a certain number of children come begging, and they have such a mental outlook, psychological background, which is the very negation of what studentship stands for. In order to deal with this problem from that point of view, certain legislative steps are necessary. I am glad, and I am immensely relieved, to

[President.]

hear so many honourable members say that they will be willing even to subject themselves to taxation for this purpose. But honestly speaking the difficulty is not about money. I can assure honourable members that the problem can be tackled with the surplus reserve at present available with the Government and the Municipalities. But what is needed is the personnel. Why did the Work Houses, why did the Beggar Homes in England essentially fail? It is because it got into the hands of mechanically minded, despotic, cruel men who used them as a means of persecution or what may be called small tyranny. What is needed is men fired with a a missionary zeal who will look after the beggars and see that they stay in the beggar-homes, I am speaking with some experience of similar institutions. It is easy enough to gather young girls into a home of refuge. But it is very very difficult to make them live there unless the people in charge of the institution are suffused with human sympathy. I have known of cases of these refugees going away from the houses soon after they are brought there. They say it is better to lead a life of shame than to be shown all sorts of slights. So likewise, the difficulty, as I have known, in the conduct of beggar homes is not the difficulty of financing those beggar-homes, but it is the difficulty of running those homes. If the beggar feels that there is someone to look after and care for her and not leave her as an unwanted being, then she will stick to the home. That calls for propaganda, that calls for missionary zeal, that calls for personal initiative. If that be forthcoming, Government will be only too glad to play their part in paying large sums for the purpose of starting these homes. But let not these homes be started out of momentary emotion or made dependent upon the activity of a single man or a group of men. This must be a people's move and must be started and actuated by the impulse of the people. If that were done, for instance, if in the Trivandrum town a beggar home is started on the dimensions and with the objectives which the capital of the State needs, then we have taken the first step. We may influence the Municipality so to work its Municipal laws that no person is allowed to beg in the town, because as soon as a beggar is found, the proper authorities will take him to the beggar house by force. It is one thing to take a beggar by force to the beggar house and another thing to keep him there. Supposing he is taken there by force, the next day he will run away to Quilon or some other place and it is very difficult to prevent that. Some of these beggars are amongst the well-to-do members of the population. They find that it is easier to make a considerable amount of money by begging and they use agencies for that purpose. Elsewhere I have mentioned that I know personally an organisation existing in Bombay for crippling young children. Hands and legs of children are crippled even when they are two and three years old and there is a regular market, just as the share market, for crippled boys. There are middle aged men using them for the purpose of making a handsome income. Such things take place both in Delhi and Bombay and it is a well known work in those centres as that

could be a great and lucrative profession. Starting of beggar homes is not a simple matter of legislation. Sending some people to jail and feeding them there is easy. But a lot of constant sympathy and constant care is necessary to keep the people who are really deserving in the places where they are designed to live and keep them contented. That requires much more than legislation. The moment the main centres of life like Trivandrum start such homes and a census is taken we know what our demands are. Government will be glad to pay for the beggar homes such proportion of the requirements as may be necessary for running the institution. After such homes are established legislation will be apposite or appropriate.

MR. G. VELU PILLAI: I do not press the motion.

The motion, by leave, was withdrawn.

RESOLUTION REGARDING THE PROHIBITION OF THE EXPORT OF STARCHY FOOD.

MR. N. NARAYANA KURUP: May I know whether the export of the starch of tapioca is prohibited?

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI: The House will be aware of the orders issued by the Government from time to time with regard to the prohibition of the export of tapioca in any form. Practically it was tapioca starch that was being exported on a very large scale. The only exception that has been made is with regard to the export of dried chips of tapioca for the use of the Cochin State and that too only to a very small extent.

PRESIDENT: That was mainly for the reason that the Cochin State said that they were entirely relying upon us for this stuff.

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI: They asked us to supply a reasonable quantity of tapioca because they do not grow tapioca in large quantities. They are also equally badly in need of foodgrains as we are. At their request the Travancore Government has made arrangements for a limited quantity of tapioca chips being made available to them. I may state for the information of the House that when once the export of tapioca starch was stopped, there were attempts made for the export of arrowroot flour. Tapioca starch was exported under the guise of arrowroot flour. It was, therefore, considered necessary that even the export of arrowroot flour should be prohibited. When both arrowroot and tapioca starch were prevented from being exported, then came the conversion of banana into flour and Government had to issue instructions to the Excise authorities to keep a vigilant watch in regard to the export of that also. It may be improper or rather inappropriate that Government should prohibit the export of flour of all these materials and so at present the prohibition extends only in the case of tapioca and arrowroot. With regard to others Government have issued instructions to the Excise authorities to keep a vigilant watch.

MR. M. R. NARAYANA PILLAI: Has the Government any objection to the conversion of tapioca and other food stuffs to flour?

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI: Yes; it has been prohibited. The manufacture of tapioca starch within the State is prohibited.

SADASYATILAKA T. K. VELU PILLAI: Have the people of Cochin started the cultivation of tapioca?

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI: Yes, to some extent. They have not been successful to a very large extent.

MR. N. NARAYANA KURUP: May I know whether it is not possible to completely prohibit the export?

PRESIDENT: There was complete prohibition of export of tapioca in every form. When that prohibition was introduced it was pointed out by the sister State of Cochin that for a certain number of years, they were relying upon Travancore imported tapioca and that a sudden stoppage of it would be very deleterious to them. Considering the fact that whatever might have happened in the distant past, Travancore and Cochin have been working hand in hand and utmost comradeship especially with regard to food problem, we were prepared to give such relief as possible consistent with our necessity. Therefore we had to find out how much tapioca was being imported into Cochin for the last few years and we fixed a quota of tapioca chips which would be exported to Cochin. Apart from that, the export of tapioca as such is entirely prohibited.

MR. N. NARAYANA KURUP: May I know whether it is not possible to fix the price of tapioca?

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI: It has been fixed.

MR. N. NARAYANA KURUP: But it is not put into practice. We are paying 4½ and 5 chs. per pound.

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI: The sale of tapioca, both raw and chips, is carried on on such an extensive scale by a large number of petty merchants throughout the State that it happens that the prices fixed are not strictly enforced and the controlling authorities also find it rather difficult to efficiently control the price. But every care is bestowed to see that the controlled prices are adhered to.

MR. KOTTALIL P. ABRAHAM: May I know whether any licence is given for transporting tapioca to Cochin and whether such licence is given to Travancoreans or not?

RAJYASEVAPRAVINA G. PARAMESWARAN PILLAI: They are given to merchants in Travancore who are permitted by the Cochin Government to transport it from here.

RESOLUTION RE: MOVING VETERINARY HOSPITAL.

MR. N. NARAYANA KURUP: I move the following resolution:—

"This Assembly recommends that a moving Veterinary Hospital in boats be established for aid of cattles in water logged areas in the State".

സർ, ഈ പ്രമേയം ഹാജരാക്കിയതു് പ്രധാനമായി അമ്പലപ്പുഴ, ചേർത്തല, കോട്ടയം, ചങ്ങനാശേരി, തിരുവല്ലാ, മാവേലിക്കര, കാർത്തികപ്പള്ളി എന്നീ ഏഴു താലൂക്കുകളിൽ ഉൾപ്പെട്ട കുട്ടനാട് എന്ന പേരിനാലറിയപ്പെടുന്ന സ്ഥലത്തെ ആവശ്യത്തെപ്പററി പ്രതിപാദിക്കുവാനാണു്. കൃഷിഡിപ്പാർട്ടുമെൻറിനോടു കൂടി കന്നുകാലികൾക്കു വൈദ്യസഹായം ചെയ്യുന്നതിനുള്ള ഡിപ്പാർട്ടു

മെൻറുംകൂടി ചേർത്തിരിക്കുന്നതു് എന്തുകൊണ്ടാണെന്നു് എനിക്കു മനസ്സിലാകുന്നില്ല. ഇതു രണ്ടും തമ്മിൽ യാതൊരു ബന്ധവും ഞാൻ കാണുന്നില്ല. കന്നുകാലികൾ കൃഷിക്കു ആവശ്യമുള്ള മൃഗങ്ങളായതുകൊണ്ടു് അവയ്ക്കു വൈദ്യസഹായം ചെയ്യുന്ന ഡിപ്പാർട്ടുമെൻറിനെക്കൂടി കൃഷി ഡിപ്പാർട്ടുമെൻറിനോടുകൂടി ചേർത്തു എന്നുള്ള ഒരൊററ ബന്ധമല്ലാതെ മറെറാരു ബന്ധവും ഉള്ളതായി തോന്നുന്നില്ല. ഈ നിലവച്ചുനോക്കുമ്പോൾ മനുഷ്യരും കൃഷിക്കാരായതുകൊണ്ടു് മനുഷ്യർക്കുള്ള വൈദ്യസഹായത്തിനുള്ള മെഡിക്കൽവകുപ്പും കൃഷിഡയറക്ടരുടെ കീഴിലാക്കി ഭരിക്കപ്പെടുന്നതു ഒട്ടുംതന്നെ അസംഗതമല്ലെന്നാണു എന്റെ അഭിപ്രായം. ഏതായാലും കൃഷിഡിപ്പാർട്ടുമെൻറുമായി വെററിനറി ഡിപ്പാർട്ടുമെൻറുംകൂടി ചേർന്നിരിക്കുന്നതുകൊണ്ടും മതിയായ തുക ഇവ രണ്ടിനുമില്ലാത്തതുകൊണ്ടും കന്നുകാലികളുടെ ചികിൽസ കുറഞ്ഞുവരുന്നുവെന്നുള്ളതു് ഒരു പരമാർത്ഥമാണു്. എന്റെ ബഹുമാന്യസ്നേഹിതൻ കൃഷിഡയറക്ടർ മി. സുബ്രഹ്മണ്യപിള്ള, അദ്ദേഹത്തിന്റെ ഡിപ്പാർട്ടുമെൻറിനെ ഞാൻ ദുഷിക്കുകയാണെന്നു വിചാരിക്കുന്നുണ്ടാവാം. അദ്ദേഹത്തിനോടോ അദ്ദേഹത്തിന്റെ മുൻഗാമികളോടോ എനിക്കു യാതൊരു വൈരാഗ്യവുമുണ്ടായിട്ടല്ല ഞാൻ ഇതു പറയുന്നതു്. കൃഷിഡിപ്പാർട്ടുമെൻറിന്റെ മേൽനോട്ടത്തിൽ വെററിനറി ഡിപ്പാർട്ടുമെൻറുംകൂടി വച്ചുകൊണ്ടിരുന്നാൽ കന്നുകാലികളുടെ ചികിൽസക്കു ഇന്നത്തെക്കാൾ പറയത്തക്ക പുരോഗതികളൊന്നുമുണ്ടാകയില്ലെന്നുള്ള വിശ്വാസംകൊണ്ടുമാത്രം ആണു് ഞാൻ ഇതു പറയുന്നതു. കന്നുകാലികളുടെ അഭിവൃദ്ധികാര്യത്തിൽ ഗവൺമെൻറു വളരെ പ്രോൽസാഹനം നൽകുന്നുണ്ടെങ്കിലും അതുകൊണ്ടു പ്രയോജനകരമായ ഫലംവേണ്ട വിധത്തിലുണ്ടാകുന്നില്ല.

സർ, കുട്ടനാട്ടിൽ കുറഞ്ഞതു് ഒരുലക്ഷം കന്നുകാലികളെങ്കിലും ഉണ്ടു്. അവിടെ അവയ്ക്കു വൈദ്യസഹായത്തിനുള്ള സൌകര്യങ്ങൾ വളരെ കുറവാണു്. ഈ ഏഴു താലൂക്കുകളിൽ ഉൾപ്പെട്ട കുട്ടനാടു ആറു മാസം മുഴുവനും വെള്ളത്താൽ ചുററപ്പെട്ടു കിടക്കുന്നു. ഈ ആറു മാസം കന്നുകാലികളെ കെട്ടുന്ന പുരയിടങ്ങൾ മിക്കവാറും മുഴുവനുംതന്നെ വെള്ളത്തിനടിയിലാണു്. ആ കാരണംകൊണ്ടു പലവിധ രോഗങ്ങളും അവയ്ക്കുണ്ടായിക്കൊണ്ടിരിക്കുന്നുണ്ടു്. അപ്പോളെല്ലാം മോട്ടാർ ബോട്ടുകളിലോ അല്ലെങ്കിൽ വലിയ കെട്ടുവള്ളങ്ങളിലോ ഇവയെയും കയററി മൂന്നും നാലും അഞ്ചും മൈൽ ദൂരം പോയി ഡാക്ടരെ കാണിച്ചു മരുന്നുകൊടുത്തു ചികിത്സിപ്പിക്കുകയെന്നുള്ളതു് എപ്പോഴും എല്ലാവർക്കും സാദ്ധ്യമല്ല.

[Mr. N. Narayana Kurup.]

സാധുക്കൾക്ക എല്ലായ്പ്പോഴും വള്ളം കിട്ടി എന്നു വരുന്നതുമല്ല. സാധുക്കളാണു കന്നുകാലിയുടമസ്ഥന്മാരിലധികവും. ഡാക്ടർമാർ ടൂറിംഗ് ആഫീസറന്മാരായതുകൊണ്ട് ഈ പ്രയാസങ്ങളെല്ലാം സഹിച്ച് വള്ളത്തിൽ ഈ ബ്രഹ്മാണ്ഡശരീരങ്ങളും വലിച്ചിട്ടു ഇത്രദൂരം ചെന്നാൽതന്നെയും ചിലപ്പോൾ ഡാക്ടരെ കണ്ടില്ലാ എന്നും വരാം. കണ്ടാൽതന്നെയും ആവശ്യത്തിനുള്ള മരുന്നും ഇല്ലാതെയാണ് കാണുന്നതു്. അങ്ങിനെ പല വൈഷമ്യങ്ങൾ അവിടത്തെ കൃഷിക്കാർ അനുഭവിക്കുന്നുണ്ട്. ശരിയായ വൈദ്യസഹായമില്ലാത്തതിനാൽ അവിടെ അനവധി കന്നുകാലികൾ മരിക്കുകയാണു ചെയ്യുന്നതു്. വീട്ടുകാർക്കു ധനസ്ഥിതി ഉണ്ടെങ്കിൽ വള്ളവും ആളും ഉണ്ടാക്കി ഡാക്ടരെ കാണാൻ കഴിഞ്ഞെങ്കിൽ ആശുപത്രിയുള്ള സ്ഥലത്തു പോയി ചികിത്സിപ്പിച്ചുവെന്നു വരാം. മേൽപ്രകാരമുള്ള വൈഷമ്യങ്ങളെ കരുതി കുട്ടനാട്ടിൽ കുറഞ്ഞതു മൂന്നു ടൂറിംഗു വെറ്ററിനറി ഡാക്ടർമാരെങ്കിലും നിശ്ചിതപരിപാടിയോടുകൂടി ബോട്ടിൽ സഞ്ചാരംചെയ്തു ചികിത്സ നടത്തുവാൻ ഏർപ്പാടു ചെയ്യേണ്ടതാണ്. കുട്ടനാട്ടിനെ സംബന്ധിച്ചിടത്തോളം ഒരു പ്രത്യേക പദ്ധതി ഇക്കാര്യത്തിൽ തുടങ്ങുന്നതു നന്നായിരിക്കും. ഒരു മോട്ടാർബോട്ടിൽ ഒരു സഞ്ചാര വെററിനറി ആശുപത്രി സ്ഥാപിച്ച്, ഒരു നിശ്ചിത പരിപാടിയോടുകൂടി കുട്ടനാട്ടിൽ സഞ്ചരിക്കുന്നപക്ഷം, ഒരാഴ്ചയിൽ മൂന്നു ദിവസമെങ്കിലും ഓരോ കരകളിലും ചെല്ലുന്നതിനും വൈദ്യസഹായം ചെയ്യുന്നതിനും സാധിക്കുന്നതാണ്. ഈ തത്വം മനുഷ്യരുടെ വൈദ്യസഹായത്തിനും സ്വീകരിച്ചു പ്രവൃത്തിക്കാവുന്നതാണ്. അപ്രകാരം സഞ്ചരിച്ചുകൊണ്ടു തുടർച്ചയായി ചികിത്സനടത്തിക്കൊണ്ടിരിക്കുന്നപക്ഷം ഈ ഏഴു താലൂക്കുകളിലുംപെട്ട കുട്ടനാടൻ സ്ഥലങ്ങളിൽ ആവശ്യമായ ചികിത്സ നടത്തുന്നതിനു യാതൊരു പ്രയാസവുമുണ്ടാകുന്നതല്ല. ഇതിനു എത്ര ചെലവുവരുമെന്നും ഞാൻ ആലോചിക്കാതിരുന്നില്ല. മൂന്നു കൊല്ലം മുൻപു ഞാൻ ഈ സംഗതിയെപ്പറ്റി പ്രതിപാദിച്ചപ്പോൾ അന്നത്തെ കൃഷി ഡയറക്ടർ അവർകളുമായി ഇതേപ്പറ്റി ആലോചിക്കുകയുണ്ടായി. ബോട്ടിനു രണ്ടായിരം രൂപയും മരുന്നിനു ആയിരം രൂപയും ഇതു രണ്ടും കൂടാതെ റെക്കറിംഗ് എക്സ്പെൻസായി രണ്ടായിരം രൂപയും ഉൾപ്പെടെ അയ്യായിരം രൂപ ആദ്യവും പിന്നീടു കൊല്ലംതോറും റെക്കറിംഗ് എക്സ്പെൻസിനായി ആയിരം രൂപ വീതവും ചെലവാക്കാമെങ്കിൽ ഞാൻ മുൻ പറഞ്ഞ രീതിയിൽ കുട്ടനാട്ടെ

കന്നുകാലികൾക്കു വൈദ്യസഹായം നൽകുവാൻ അന്നു സാധിക്കുമായിരുന്നു. ഇപ്പോഴും ചെലവു കുറച്ചുകൂടി കൂടിയെന്നും വരാം. ഈ പദ്ധതിയനുസരിച്ചുള്ള വൈദ്യസഹായം സാധുക്കളായ അവിടത്തെ കർഷകർക്കു വലിയ അനുഗ്രഹമായിത്തീരുകയും ചെയ്യും. ഇത്തരംഒരു പ്രവർത്തനപദ്ധതി രൂപീകരിക്കണമെന്നുള്ള അപേക്ഷയോടുകൂടി ഞാൻ ഈ പ്രമേയം അവതരിപ്പിച്ചുകൊള്ളുന്നു.

MR. A. K. KUMARAN VAIDYAN : സർ, മി. നാരായണക്കുറുപ്പ് അവതരിപ്പിച്ചിരിക്കുന്ന ഈ പ്രമേയത്തെ ഞാൻ ഹൃദയംഗമമായി പിൻതാങ്ങുന്നു. കൃഷിസ്ഥലങ്ങൾ അധികമുള്ള സ്ഥലത്താണ് കന്നുകാലികളുടെ ആവശ്യം വരുന്നതു്. അങ്ങനെയുള്ള സ്ഥലങ്ങൾനോക്കിയാണു വെററിനറി ഹോസ്പിററൽസ് സ്ഥാപിക്കുവാനുള്ളതു്. പറവൂർ താലൂക്കിൽ സ്ഥാപിച്ചിരിക്കുന്ന മൃഗാശുപത്രി അവിടത്തെ ടൗണിലാണ് സ്ഥാപിച്ചിരിക്കുന്നതു്. അവിടെ അധികം കൃഷിക്കാരില്ല. ആലങ്ങാട്, അയിരൂർ, പുത്തൻവേലിക്കര, പാറക്കടവ്, ചങ്ങമനാട് എന്നീ പകുതികളിൽ എവിടെ എങ്കിലും ആണ് പറവൂർതാലൂക്കിൽ ഒരു മൃഗാശുപത്രി സ്ഥാപിക്കേണ്ടതു്. ഈ പകുതികളുടെ മദ്ധ്യഭാഗത്തു് ആയിരിക്കേണ്ടതുമാണ്. എന്നാലെ ഇതുകൊണ്ടു് ഉദ്ദേശിക്കുന്ന ഫലം കാണുകയുള്ളു. ഡയറക്ടർ അവർകൾ ഇക്കാര്യത്തിൽ വേണ്ട ശ്രദ്ധ പതിപ്പിച്ച് ഈ ആശുപത്രി ടൗണിൽനിന്നും മാററി ഒന്നുകിൽ കോട്ടപ്പുറത്തോ അല്ലെങ്കിൽ മറേറതെങ്കിലും സൗകര്യമുള്ള സ്ഥലത്തോ സ്ഥാപിച്ചുതരണമെന്ന് ഞാൻ അപേക്ഷിച്ചുകൊള്ളുന്നു.

SADASYATILAKA T. K. VELU PILLAI: I have been speaking rather very frequently but I am obliged to do so because this is a very important matter. Mr. Narayana Kurup with his usual patriotism and eloquence has pressed this important matter to the attention of the House and as a justification for my speaking, Sir, I may submit that I find in this Hall a dearth of both listening and speaking materials. In order to make good that deficit I am glad to say that without a struggle to catch the eye of the Chair and with a considerable presence of mind I wish to make some observations. There is one thing in passing which I may say with regard to the paucity of attending and speaking material. The non-official side seems to be much better than the official side. Everybody knows and it is only two or three days back that the President made an observation that our cattle are little better than over-grown cats. I may even say that they are no better than the biggest mice. The condition of Kuttanad is worse still. It is covered by water. I cannot forget, Sir, an experience which I had when Mr. K. G. Kunjukrishna Pillai was with me. It was 8 or 9 years ago. We had been there in connection with the election campaign of the Deputy

[Sadasyatilaka T. K. Velu Pillai.]

President. My friend was a young man then. He was not as wise as myself. What I want to say is one day at night at about 11·30 or 12 o' clock my friend wanted some water to drink as I also wanted. We remembered water everywhere. But there was no water there. The throat was parching. The stomach was making all sorts of screams. What can we do? Imagine the condition of those unfortunate people who are obliged to live there in times of flood. They remain hours together in small boats as small as what are called 'kothumbu'.

MR. K. G. KUNJUKRISHNA PILLAI: Did the honourable member look like a half starved man?

SADASYATILAKA T. K. VELU PILLAI: In all countries there are small people and big people, there are poor people and rich people. In a country where we are half-starved there may be persons having a a comfortable life. But all that I say is that we must make it possible for them to live. We must help them to cultivate the land. Now, Sir, when human life itself is difficult to maintain at some periods of the year, if a poor cow or calf gets ill at night, when waters are rolling how is it possible for anybody to go five or six miles and get a physician? Therefore the Government must take into serious consideration the necessity for making provision on the lines suggested by Mr. Narayana Kurup. Mr. Kumaran Vaidyan has also told the same story. There are thousands of oxen, buffaloes and sheep in this country? What are we for if we are not able to help the agriculturists? With these words, I request Government to accept this resolution and implement a method to do credit to our country.

MR. K. SUBRAMONIA PILLAI: Kuttanad is an area which is waterlogged. The houses there are situated on small islands, and as such, it is very difficult for sick cattle being taken over to the Veterinary Hospital at Alleppey which is nearest to that place. There also appears to be a real difficulty in taking a Veterinary doctor to the place. So I hope the matter will be investigated by the Veterinary Superintendent as early as possible.

With regard to the shifting of the Parur hospital to some other station, I may say that the matter may also be investigated as early as possible.

The resolution was by leave of the House, withdrawn.

The following resolutions were not moved :—

6. *Revision of Public Service Recruitment Rules.*

MR. KAVIYOOR K. K. KOCHUKUNJU (*Nominated*) :

"This Assembly recommends to Government that the existing Public Service Recruitment Rules be amended so that the two posts for "the Other Hindus group be raised at least to seven posts".

7. *Working of Departmental Advisory Committee.*

MR. K. DOMINIC JOSEPH (*Vaikom* cum *Kottayam*) :

"This Assembly recommends to the Government that all the Advisory Committees, constituted by the Government, of which the majority of the members are members of the Legislature be directed to submit annual reports of their working to this House for discussion."

8. *Chair for Malayalam in the University College.*

MR. P. NARAYANA PILLAI (*Mavelikara* cum *Kunnathur*) :

"This Assembly recommends to Government to establish a Chair for Malayalam in the University College."

9. *Recruitment as Judges.*

MR. P. NARAYANA PILLAI (*Mavelikara* cum *Kunnathur*) :

"This Assembly recommends to Government that not less than seventy-five per cent of the Judges in the District Courts and Additional District Courts be recruited from Advocates of not less than ten years standing in Travancore."

10. *Compulsory Primary Education.*

MR. T. T. KESAVAN SASTRI (*Nominated*) :

"This Assembly recommends to Government that primary education be made compulsory among the backward communities."

DEPUTY PRESIDENT: As the business for the day is over the House will now adjourn *sine die*.

The House adjourned *sine die* at 5 P. M.

B. PARAMU,

Secretary to the Sri Mulam Assembly.

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